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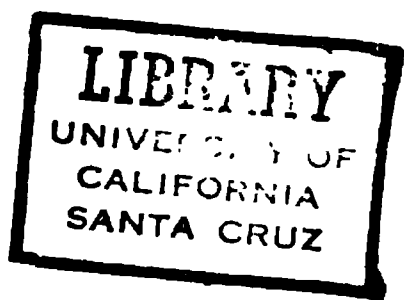
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Benjamin Franklin

FIFTY YEARS

OF

ITALIAN HISTORY

SIR HENRY T. ST. JOHN

WITH

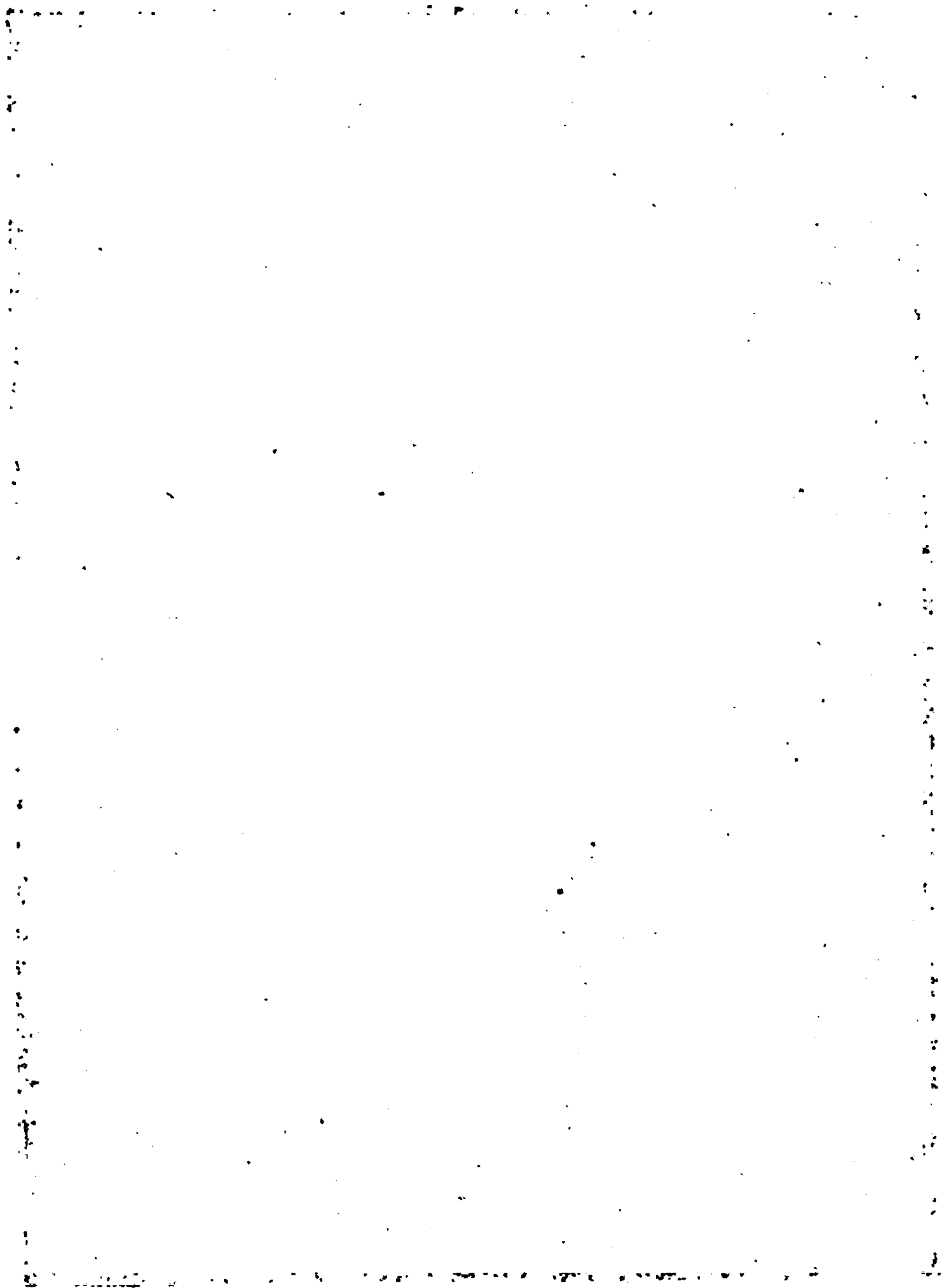
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1892

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FIFTY YEARS

IN THE MAKING OF

AUSTRALIAN HISTORY

BY

SIR HENRY PARKES, G.C.M.G.

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WITH PORTRAITS

LONDON

LONGMANS, GREEN, AND CO.

AND NEW YORK: 15 EAST 16th STREET

1892

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PREFACE

THIS book is not a history nor yet an autobiography. It leaves my life still to be written, should it be deemed worth the writing. It leaves, in fact, the first thirty years after my birth almost a blank. My residence in New South Wales has extended over fifty-three years; I began, in association with others, to take an earnest interest in the affairs of the colony within two or three years after my arrival. My first acquaintances were Charles Harper, William Augustine Duncan, and Henry Halloran, the latter of whom, now a hale man of eighty-two years, is still my warm personal friend, whose high generous spirit and fine gifts of mind have contributed much to my enjoyment of life. Some years before the advent of Responsible Government I was drawn into the active politics of the country; and of all the men who laboured conspicuously in public in preparing the way for the new Era, I now stand alone.

My objects in publication may be thus stated. To exhibit the stream of Australian progress as it has come within my own knowledge and been subjected to my individual influence; to make clear my opinions

on some questions of first importance ; to vindicate my aims and the motives by which I have been actuated in the part I have taken in moulding the policy of the country ; to explain my views on some possibilities of the future, and what I conceive to be the destiny of the new Commonwealth. It is no part of my purpose to discuss the conduct of others except in instances where the actions of others have been inextricably mixed up with my own, or in one or two other cases where the conduct of others has in my judgment been perilous to the public liberties. My exposition of principles is chiefly confined to the thread of my own life and my own endeavours so far as they have related to the public life of the country. Matters of ephemeral or merely local interest, although they may have given rise to much controversy at the time of their occurrence, are for the most part excluded from these pages.

In a work of this kind it has not been found possible, and it has not been desired, to suppress my personality. But my wish has been that my public actions should be placed in the full light of day, and left naked and unscreened to public criticism. Whatever my work may amount to, it cannot be made more by words from me or from too tolerant friends, and it cannot be made less by the comments of adversaries. It must stand or be swept away according to the nature of its substance.

Still it seems to me that, looking beyond the span of my existence and the limits of my exertions, much may be gathered illustrative of the steps taken in un-

trodden fields and the materials brought together from opposite sources, in laying the foundations of Empire in the great English-speaking land under the Southern Cross. My broken record may be a help among many aids when the time comes for strong hands to write the History of Australia.

HENRY PARKES.

SYDNEY, *May*, 1892.

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FIFTY YEARS

IN THE MAKING OF

AUSTRALIAN HISTORY

CHAPTER I

EARLY LIFE IN AUSTRALIA—1839 TO 1852—THE ANTI-TRANSPORTATION MOVEMENT

ON July 25, 1839, a large full-rigged ship, one of the old build, with square stern, high poop, and bluff bows, worked her way up the harbour of Port Jackson and anchored off Neutral Bay. It was the good ship *Strathfieldsaye*, commanded by Captain Spence, 109 days from Plymouth, with immigrants. I was one among that floating crowd of adventurers; I had spent my twenty-fourth birthday on the voyage, and my young wife had given birth to a child a few days before our arrival. Of necessity we had to remain on board some days. In those wearisome days of vague hope, fitful despondency, and youthful impatience, many hours of the early morning I spent hanging over the ship's side, looking out upon the monotonous, sullen, and almost unbroken woods which then thickly clothed the north shore of the harbour, my thoughts busily employed in speculating on the fortunes which that unknown land concealed for me. I knew no single human creature in that strange new land; I had brought no letter of

introduction to unlock any door to me; and in this state of absolute friendlessness I and my wife and child landed in Sydney, which great city I was thirteen years afterwards destined to represent in the Legislature. One of the last books I had bought in London was a cheap edition of Campbell's Poems, and I had committed to memory the 'Lines on the Departure of Emigrants for New South Wales'; and often then and in the sad succeeding years of struggle and suffering, when my heartsank within me, I drew fresh inspirations of strength and hope from passages of that, my favourite poem.

The deep-drawn wish, when children crown our hearth,
 To hear the cherub chorus of their mirth,
 Undamped by dread that want may e'er unhouse,
 Or servile misery knit those smiling brows :
 The pride to rear an independent shed,
 And give the lips we love unborrowed bread ;
 To see a world, from shadowy forests won,
 In youthful beauty wedded to the sun ;
 To skirt our home with harvests widely sown,
 And call the blooming landscape all our own,
 Our children's heritage, in prospect long.

In the year 1839, and for years afterwards, all the territory of the colony of Victoria and all the territory of Queensland were included in the colony of New South Wales. In the whole of this vast tract of Australia, 1,068,341½ square miles, there were only 114,386 inhabitants. The price of land was 12s. per acre, and the sales in that year amounted to 152,962*l.* 16s. 4*d.* The area of land under crop was 95,312 acres. The wool exported was 7,213,584 lbs., valued at 442,504*l.* The vessels inwards at the port of Sydney were 563, giving a total of 135,474 tons; the vessels outwards 548, giving a total of 124,776 tons. Twelve small vessels were built in the colony, their total burden amounting to 773 tons. The number of vessels registered at Sydney was 79, giving a total of 10,862 tons. The following table will indicate the position of the infant commerce of the country :—

—	Great Britain	New Zealand	Other countries	South Sea Islands	Fisheries	United States	Other foreign countries	Total
Imports :	£ 1,251,969	£ 71,709	£ 504,828	£ 3,863	£ 186,212	£ 23,093	£ 194,697	£ 2,236,371
Exports :	597,100	95,173	194,684	1,347	34,729	18,568	7,175	948,776

Three years afterwards, in 1842, the population consisted of

Male adults	.	.	.	.	75,474
Female „	.	.	.	.	88,546
Male children	.	.	.	.	20,686
Female „	.	.	.	.	20,011
					<u>149,667 souls.</u>

The average number of children attending school was 7,289, but the schools were of a very imperfect character. Four years after my landing, in 1843, the colony possessed 56,585 horses, 897,212 head of horned cattle, and 4,804,946 sheep.

Such, then, was the country of my adoption, and for me ‘life had ample room,’ beyond what is in the power of most men to conceive. For many weary days following weary days I searched in vain for suitable employment in Sydney. A severe drought had just passed over the country; the price of bread rose as high as 2s. 8d. for the 4 lb. loaf, and the other necessities of life were correspondingly dear. The first public gathering I attended was a meeting held in the Market to raise subscriptions to establish a soup-kitchen for the poor and destitute. For fully twelve months I could not muster sufficient fortitude to write to my friends in England of the prospect before me. Finding nothing better, I accepted service as a farm-labourer at 30l. a year, and a ration and a half largely made up of rice. Under this engagement I worked for six months on the Regentville estate of Sir John Jamison, about thirty-six miles from Sydney, assisting to wash sheep in the Nepean, joining the reapers in the wheat-field, and

performing other manual labour on the property. At the end of the half-year I applied to be released from my agreement, being anxious to try my fortunes again in Sydney, and the superintendent, a Mr. Gale, who at all times treated me very kindly, acceded to my request. Returning to Sydney, I obtained employment first in a wholesale ironmongery store, then in an iron foundry, and, shifting as best I could, I worked on among the unknown crowd of strugglers for several years, during which period I made the acquaintance of several young men who afterwards achieved positions of fair distinction, including Angus Mackay, Minister of Education in Victoria in later years, and Charles Harpur, one of the earliest of Australian poets. For fully eight years I never ventured to take part in public affairs. I watched the course of events with a keen interest from my obscure station; entered into fervent discussions on the topics of the day with my few humble friends; and occasionally wrote letters to the papers, always anonymously.

In 1843 a new Constitution for the colony came into force, under which the principle of representation was first introduced, though in a partial and very restrictive form. The Legislative Council consisted partly of members still nominated by the Crown, and partly of elective members chosen by a suffrage based upon high property qualifications. The first election, however, sent into the hybrid Legislature the ablest men in Australia—William Charles Wentworth and William Bland for the city of Sydney; John Dunmore Lang, Charles Nicholson, Thomas Walker among the members for the district of Port Phillip (now Victoria); Charles Cowper, Richard Windeyer, George Robert Nichols, and other men favourably known for country electorates.

The new Council, in which the people of Australia found their first imperfect representation, was opened by the Governor, Sir George Gipps, on August 3, 1843.

The opening and the closing paragraphs of the speech alone possess any interest for later times :—

Gentlemen of the Legislative Council,—The time is at length arrived which has, for many years, been anxiously looked forward to by us all; and I have this day the pleasure to meet, for the first time, the Legislative Council of New South Wales, enlarged as it has been under the statute recently passed by the Imperial Parliament for the government of the colony. I congratulate you very sincerely on the introduction of popular representation into our Constitution, and I heartily welcome to this Chamber the first representatives of the people.

The period, Gentlemen, at which you enter on your functions is one of acknowledged difficulty, and it is therefore the more grateful to me to have my own labours and responsibilities lightened by your co-operation and assistance.

I shall most readily concur with you in any measures which may be calculated to develop the resources of the colony by calling into action the energies of the people, taking care, however, that we proceed on sure principles, and not overlooking the great truths that the enterprise of individuals is ever most active when left as far as possible unshackled by legislative enactment, and that industry and economy are the only sure foundations of wealth. Great as, undoubtedly, are the embarrassments under which numbers even of the most respectable of our fellow-subjects in the colony are now labouring, it is consolatory to me to think that, grievous though they be to individuals, they are not of a nature permanently to injure us as a community; that, on the contrary, they may be looked on as forming one of those alternations in the progress of human events which occur in all countries, and perhaps most frequently in those whose general prosperity is the greatest.

The Council, Gentlemen, is composed of three elements, or of three different classes of persons—the Representatives of the People; the Official Servants of Her Majesty; and of Gentlemen of Independence, the Unofficial Nominees of the Crown.

Let it not be said or supposed that these three classes of persons have or ought to have separate interests to support—still less that they have opposing interests, or any interest whatever save that of the public good. Let there be no rivalry between them, save which shall in courtesy excel the

other, and which of them devote itself most heartily to the service of their common country.

(Signed) GEORGE GIPPS,
Governor.

Sydney, Aug. 8, 1848.

The elections had been attended by much excitement, and in one or two instances riotous proceedings had taken place, and strong animosities had been engendered. But the leaders of the Representative division of the new Council set themselves to deal, according to their lights, with the disastrous state of the colony. The first measure brought in was a Bill by Mr. Wentworth to regulate the rates of interest; but an amendment was moved that the Bill be read the second time that day six months, and, for reasons which appear to have been economically sound, the amendment was carried by 21 to 12. This was the first important division in the new House, and, in the popular contentions which followed, it fairly represents the relative numbers,—the nominee element, recruited by timid and weak-kneed elective members, nearly always outweighing the little band of faithful representatives. Within the first six weeks, the question of education was raised by Dr. Lang; the land question was discussed on the motion of Mr. T. A. Murray; a Bill for legalising advances of money on wool and on sheep and cattle was brought in and passed by Mr. Wentworth; a committee was appointed to revive and stimulate immigration; and, on the motion of Mr. Windeyer, a committee was appointed ‘to consider the means of staying the further evil consequences to be apprehended from the monetary confusion lately and still prevalent in the colony.’

Mr. Windeyer’s committee took the evidence of several leading men connected with the commercial and monetary affairs of the colony, and in due time the chairman brought up his report. That report reads strangely in the light of monetary science at the present

day. It recommended, chiefly on the evidence of Mr. Thomas Holt, that the credit of the colony should be pledged to a scheme of monetary relief analogous to the Prussian Pfandbriefe system, thus described :—

A landed proprietor wishing to raise money upon his property applies to a Land Board, which values it, and agrees to lend him the credit of the State for one-half of the valuation. The landowner mortgages his property to the Board, which then gives him a paper called a Pfandbriefe, or pledge certificate, which contains the name of the mortgagor of his estate, the letter and number of the transaction in the books of the Board, and two official signatures. The interest to be received by the holder of the Pfandbriefe is made payable in two half-yearly dividends on fly-leaves called coupons, calculated for two years in advance, which are guaranteed by the Board. These coupons are cut off and presented at the Treasury, where they are paid, as they become due, or they may be cut off beforehand, and circulated till they become due.

Other suggestions were also derived from the law of Prussia, such as the issue of notes of small amounts, made a legal tender, and convertible into coin on demand at the Treasury. A Bill embodying the views of the committee was introduced, and finally read the third time on December 6 ; but the Governor withheld from it the Royal assent.

Such were some of the proposals brought forward in the first session of the first partly elective Council, at a time of general depression and stagnation in the colony, and they will serve to show the activity and public spirit of that body. It might well have been expected that mistakes would be committed ; and some of its measures were seriously in disaccord with sound principles ; but that early Council contained men of statesmanlike conceptions and large ability, and its deliberations must ever hold a place in Australian history. The Legislature which had birth in 1843 held on its course, with notable constitutional modifications, until

the year 1856; and its struggles for constitutional liberty give to that period of thirteen years a memorable character. The model of the constitutions now existing throughout Australia was cast, and the first University was founded, before its labours came to an honourable close.

I had now formed the acquaintance of two men of more than ordinary character and ability, Mr. Charles Harpur, one of the most genuine of Australian poets, and Mr. William Augustine Duncan, then proprietor and editor of the 'Weekly Register.' They were my chief advisers in matters of intellectual resource and enquiry, when the prospect before me was opening and widening, often with many cross lights and drifting clouds, but ever with deepening radiance. Even then we talked of the grand future and the wonderful changes which a few years would bring. Both men are gone to their great account; but I cherish their memories among the pleasant crowd of associations which have brightened my path since they passed away.

In the latter part of this eventful period I was first drawn into taking part in the public proceedings of the colony. I may say with truth that I was drawn into the turbulent stream of politics rather by the influence of events than by any voluntary step of my own. It was not until the year 1848, nine years after my arrival in Sydney, and when I was thirty-three years of age, that I first ventured to speak in public. From the years of boyhood in England I had looked on silently throughout the tremendous agitations for the first Reform Bill, and I was a solitary listener among the 250,000 persons who attended the great Newhall Hill meeting in Birmingham, my whole being stirred by the solemn strains of the Union hymn as they were pealed forth under the thousand waving flags of that gathered multitude. I became a member of the famous Political

Union, and wore my badge openly till the Bill was carried into law by the Grey Ministry. I hung upon the voice of Daniel O'Connell with an unspeakable interest, on occasions when he spoke in Birmingham on his journeys from Ireland to London; and the tones of that marvellous voice, and some of the Liberator's images, have never left my memory. But I never dreamed of ever passing the barrier which shut me out from the wielders of impassioned speech. In those days, from the age of sixteen to twenty-four years, I heard frequently Thomas Attwood, who to me was an impressive speaker; I heard Lawless and Shiel, and I felt myself moulded like wax in the heat of the splendid declamation of George Thompson, the anti-slavery orator. I heard William Cobbett, and that thunderous preacher, John Angell James. I was among the listeners to the wild lectures of Charles Pemberton. These were my teachers, together with the living poets of the time, such as Byron, Moore, Shelley, and Leigh Hunt. I spent the winter of 1838-9 in London; but still in the solitude which a friendless man feels in the crowded streets of a great city. I passed those days almost exclusively in the company of my wife, and I have known but few happier days.

When the scene of my life was changed from England to Australia, as already stated, my loneliness and friendlessness were deepened and not soon relieved. But my mind found nurture in observing the public occurrences around me, analysing the characters of conspicuous men, and trying to forecast the developments of the future. Slowly I became acquainted with men in my sphere of life who thought much as I thought. While the hybrid Parliament was struggling against the repressive powers of Downing Street, and through clouds of error, to solve the problems of colonial freedom, I was growing into a keen critic of the legislative work going on. I and my little group of friends pri-

vately discussed every question that arose; of course each of my friends communicated his opinion of me to a wider circle, and by degrees men in higher walks of life made my acquaintance. The time was just coming when I was to make my plunge into the public life of New South Wales.

In the meantime the question of the continuance of the transportation of British convicts to the colony was assuming an irresistible importance; and it is curious to look back now on the effect which that question had in colouring the fortunes of public men of that day. Most of the leading members of the Legislative Council had been all their lives familiarised with the system of prison labour—of assigned service, as it was called, and some of the rougher and more impetuous resented the first murmurings of opposition to which the immigrant classes gave voice, by loudly expressing their preference for convicts over free labourers. Others again took the pseudo-philanthropic view that the system was not only beneficial to the colony, but beneficial to the convicts themselves. Hence, then, the anti-transportation cause fell largely into the hands of the new men supported by the free immigrant working classes, and the movement was directed against the popular leaders of the past, with Mr. Wentworth at their head. In 1848, Mr. Wentworth and Mr. William Bland, the late members, were again candidates for the representation of Sydney, and a meeting of electors opposed to their re-election was held, at which Mr. Robert Lowe, afterwards Viscount Sherbrooke, whose death is announced as these pages are passing through the press, was selected as the champion of the anti-transportation and Liberal cause. At this meeting I was nominated on Mr. Lowe's committee, and appointed one of the secretaries. That was the beginning of my political career.

In the election nearly all the men of known influ-

ence were ranged on the Wentworth side. They carried out a house-to-house canvass, while the new men had to labour under the disadvantage of Mr. Lowe's personal absence from all the meetings held in his support. Before his own name was brought forward, he had committed himself to another candidate, and, therefore, he declined to take any part beyond appearing on the hustings at the nomination. On the polling day, however, he was returned as the second member by a good majority, defeating the old member, Mr. Bland. I took a very active part in the return of Mr. Lowe; the address to the electors was written by me; and I attended all the meetings as the organising secretary. At one meeting I attempted to speak; it was my first attempt, and it was, I think, a sorry failure. Mr. Lowe's election, under all the circumstances of the hour, was regarded as an unprecedented popular triumph.

Under the Constitution Act which came into force in 1843 (the 6 Vict. cap. 76) the elective franchise was confined to householders of 20*l.* and freeholders of 200*l.* The household suffrage in England at the same time was 10*l.* One of my first public acts was to assist in getting the qualification reduced. A Bill was before the Imperial Parliament to confer a more liberal constitution upon the colony, and to provide for the creation of the colony of Victoria. In the beginning of 1849 I and some of my friends got up a public meeting to petition both Houses for a reduction of the suffrage qualification in the new Bill. Our petitions arrived in time, and proved successful. On the motion of Lord Lyttelton in the House of Lords, accepted by the Secretary of State, the qualification was reduced to 10*l.* household and 100*l.* freehold. I made my first political speech at this meeting in seconding a resolution which asserted the principle of universal suffrage. I was cordially received, but it must be admitted that my speech was a very weak performance. It contains one sen-

tence, however, which was a kind of prophecy and which, improbable as it appeared then, was virtually fulfilled within the next ten years. Alluding to universal suffrage, I said: 'The time will come, more quickly than some dark prophets could foresee, when it will be in possession of the Australian people.' I and my friend Mr. Angus Mackay had personally waited upon some gentlemen and written to others, inviting them to take part in the meeting, and the answers we received, warning us of the dangerous ground we were treading upon, were no doubt in my mind when speaking. Our petition to the Commons was presented by Mr. William Scholefield; that to the Peers by Lord Montague, both of whom in letters to myself expressed the pleasure it afforded them to be of service to the colony.

The question of the revival of transportation had been raised by an address from the Legislative Council, 'expressing the willingness of that body to concur in the introduction into the colony of convicts holding tickets of leave or conditional pardons' on condition that an equal number of free immigrants should be sent out at the expense of the Imperial Government. The English Minister did not wait long before acting upon this official communication from the Legislature in Sydney, and though he was not prepared to send the immigrants as asked for, he supplied the convicts in advance. It was long known beforehand that ships were on their way to the colony with English prisoners, and the feeling of opposition discovered itself in murmurous uneasiness and resentment among all classes, the defenders and apologists of the Secretary of State and his policy being confined to individuals and small sections. Little else was talked about for days before the arrival of the first ship. On June 8, 1849, the convict ship *Hashemy* entered Port Jackson, and anchored off the city of Sydney. On the same day, and the following day, several ships with immigrants arrived under the

old regulations, the emigrants having left England, it was presumed, in the belief that transportation to New South Wales had ceased. On June 8 the ship *Emigrant*, with 320 immigrants on board, and the ship *John Bright*, with 236 on board, arrived in port. On the 9th the *Emma Eugenia*, with 181 immigrants, the *Diana*, with 229, and the *James Gibb*, with 284, also arrived. Thus, to furnish material for the anti-transportation orators, the detested convict ship lay upon the waters of Port Jackson, surrounded by ships full of free immigrants whose total number had reached within the two days 1,250. Immediately an open-air meeting was called to protest against the landing of the convicts; the place chosen was at the Circular Quay, almost in sight of the ships. The day of meeting opened very unpropitiously, heavy rain falling all the morning; but, regardless of the weather, most of the places of business in the city were closed, and the people assembled, to the number of 7,000 to 8,000, in the pouring rain. This meeting was of a character which for its self-reliant spirit and enthusiastic resolve was hitherto unprecedented in Australia, and it was long known as the Great Protest Meeting. The following is a copy of the Protest adopted:—

We, the free and loyal subjects of Her Most Gracious Majesty, inhabitants of the city of Sydney and its immediate neighbourhood, in public meeting assembled, do hereby enter our most deliberate and solemn protest against the transportation of British criminals to the colony of New South Wales.

Firstly.—Because it is in violation of the will of the majority of the colonists, as is clearly evidenced by their expressed opinions on the question at all times.

Secondly.—Because numbers among us have emigrated on the faith of the British Government that transportation to this colony had ceased for ever.

Thirdly.—Because it is incompatible with our existence as a free colony, desiring self-government, to be made the receptacle of another country's felons.

Fourthly.—Because it is in the highest degree unjust to

sacrifice the great social and political interests of the colony at large to the pecuniary profit of a fraction of its inhabitants.

Fifthly.—Because, being firmly and devoutly attached to the British Crown, we greatly fear that the perpetration of so stupendous an act of injustice by Her Majesty's Government will go far towards alienating the affections of the people of this colony from the mother-country.

For these and for many kindred reasons—in the exercise of our duty to our country, for the love of our families, in the strength of our loyalty to Great Britain, and from the depth of our reverence for Almighty God—we protest against the landing again of British convicts on these shores.

The continued agitation against the renewal of transportation brought together a band of influential men, some of them appearing on the public platform for the first time, others representing old families which hitherto had been little identified with public affairs. Amongst the former were Mr. E. C. Weekes, Mr. W. R. Piddington (both of whom at a later period filled the office of Colonial Treasurer), Mr. T. S. Mort, and Mr. Daniel Henry Deniehy; and among the latter may be mentioned Mr. Robert Campbell (afterwards Colonial Treasurer), Commander John Lamb, and Mr. James Norton. Other men of remarkable ability gave weight and character to the agitation, including Mr. Robert Lowe (Viscount Sherbrooke), and Sir Archibald Michie. The proceedings of this new combination of men surprised, and produced something like consternation in the minds of, the old colonial magnates, who hitherto had ruled with a peculiar order of absolutism representing the artificial feeling of domination on the one hand and of submission on the other which characterised old Virginian society. Mr. James Norton, long regarded as the leading solicitor of the colony, was a stately old gentleman of patrician appearance and peremptory manner, who lived on a fine estate a few miles out of Sydney, which is now (1889) a populous suburb. He was unquestionably a person of much consequence in those days. I heard

Mr. Norton, addressing a public meeting, describe the effect of the convict system upon the character and morals of the 'country gentlemen' of the period as similar to that produced by slavery on the slave-holding planters of the Southern States of America. It had enervated their character, depraved their manners, given them false notions of labour and capital, and in many instances had sown the seeds of their own ruin. At first the outspoken sentiments of Mr. Norton and others like him gave much offence to their own class; but a rapidly-forming public opinion had set in, which soon became too strong for any attempt at social ostracism. Nine out of ten of the immigrant classes had from the first joined the movement against the revival of transportation, and most of the merchants and shopkeepers, and the whole artisan body of the metropolis, gave breadth and force to the wave which in a short time swept all before it. On the one side were ranged the large country employers—the men who, having obtained free grants of land and free assignments of convict servants, appeared to cherish as the one great end of life the ambition to found families, and, combined with them, the great officials who held their appointments direct from Imperial authority in England, with a few aristocratic sympathisers about Sydney. On the other side were united all the independent elements of the population, and of these it might have been as truly said as of the Romans, that

None were for a Party, and all were for the State.

I have in my possession now a document signed by nearly all the merchants and business men of Sydney, pledging themselves to close their establishments on the day of a great Anti-Transportation Meeting held in the old Barracks Square, that part of the metropolis now bounded by the busy thoroughfares of George, Barrack, York, and Jamison Streets, on September 16, 1850.

Fully 10,000 persons attended this meeting. One of the resolutions, moved by Mr. Thomas Sutcliffe Mort, a wealthy and enterprising citizen, was in support of the formation of an association to 'unite every individual in the colony interested in preventing the revival of transportation,' and declaring that the association should not be dissolved until the question was finally determined. I began my career as a public speaker at the meetings of this stormy agitation; I seconded Mr. Mort's resolution; and I spoke at nearly all the meetings held from first to last. I not only spoke, but I did my best, privately and publicly, writing in the newspapers, and encouraging others, to assist in giving intensity and success to the movement. The association formed in September 1850 merged in the 'Australian Anti-Transportation League,' which united all the colonies as one in the work of resistance; and the triumph was not long delayed, for the hateful Orders in Council, which authorised the revival of transportation, were finally revoked in 1852. The fair land of Australia was now free for evermore.

It is impossible, in view of the marvellous progress of New South Wales during the last forty years, to overvalue the importance of that first popular movement in Australia. It formed truly a new epoch in Australian life. A people, emerging from the indistinct mists of scattered settlement in a wild country, appeared in tangible form, claiming to be ripe for freedom and representative institutions. A public spirit was awakened never more to be lulled to rest.

I may, I hope, be pardoned in giving one or two instances of my own share in this movement, as it was my first work in the cause of Australian progress. I originated a petition in favour of abolition, which was signed by 12,000 ladies, including Lady Stephen, the respected wife of the Chief Justice. I suggested and wrote the Protest which, on the motion of John Lamb,

M.L.C., seconded by Lord Sherbrooke, was adopted unanimously at the Great Protest Meeting against the landing of the convicts by the ship *Hashemy*. The following are the concluding sentences of Lord Sherbrooke's speech in seconding the adoption of the Protest:—

They had taken their stand—they had felt that the people were with them, and thanks to the noble declaration which the people had made on this question, that stand had been maintained, and the perfidy and insult which had been endeavoured to be perpetrated had been met and repelled. But he looked not on this question by itself alone—he looked at it in connection with another question, in which the liberties of the people of this colony were almost equally concerned, a question on which, as on this, he hoped the colonists would make themselves heard. He viewed this attempt to inflict the worst and most degrading slavery on the colony only as a sequence of that oppressive tyranny which had confiscated the lands of the colony—for the benefit of a class. That class had felt their power—they were not content to get the lands alone. Without labour they were worthless, and therefore they must enrich them with slaves. He (Mr. Lowe) warned them not to be deluded by the simple aspect which the question had hitherto borne, when argued by those whose interests were involved in maintaining the system. He was for the liberty of all, and he protested not only against deluging the colony with crime, but the insidious attempt to introduce serfdom and slavery amongst them. This was not a question of the injury which the 250 felons on board the *Hashemy* could do the colony. They would perhaps cause but little evil; but it was a question—a question in which they had a right to be heard in protest—whether the inhabitants of this colony should be subjected to the contamination of trebly-convicted felons, and whether they should submit to a measure which was necessary to fill up the confiscation of their lands. He therefore contended that those who branded the people of the colony with mere worldly selfishness in the part they had taken on this question did them injustice. It was not the mere fear of competition amongst operatives that now united them on this question; it was not a mere breeches-pocket question with the labouring classes, though it might be with the employers. It was a struggle for liberty—a struggle

against a system which had in every country where it had prevailed been destructive of freedom. Let them not be deluded by this insidious attempt. Let it go home that the people of New South Wales reject, indignantly reject, the inheritance of wealthy shame which Great Britain holds out to her; that she spurns the gift, deceitfully gilded though it be; that she spurns the degradation, however eloquently it may be glozed over. Let them send across the Pacific their emphatic declaration that they would not be slaves—that they would be free. Let them exercise the right that every English subject had—to assert his freedom. He could see from that meeting the time was not far distant when they would assert their freedom not by words alone. As in America oppression was the parent of independence, so would it be in this colony. The tea which the Americans flung into the water rather than pay the tax upon it was not the cause of the revolt of the American States; it was the unrighteousness of the tax; it was the degradation of submission to an unrighteous demand. And so sure as the seed will grow into the plant, and the plant to the tree, in all times and in all nations, so will injustice and tyranny ripen into rebellion, and rebellion into independence.

As a sample of my early speeches I give the chief portion of a speech at a large meeting in Malcom's Circus, April 6, 1852, towards the close of the agitation:—

After all the pain and toil of the protracted agitation of this question—after an agitation, conducted with the fullest enquiry and the deepest earnestness, which had stirred the heart of the country to its very core—after these communities, having been polled almost to a man, had declared with one voice against receiving English criminals as an evil which all believed was in the highest degree disastrous to their moral and social interests—a canker eating into their very souls—after all this, they were forced back to its renewed agitation by the perverseness of one obstinate man who happened to hold a seat in the British Government. He agreed with previous speakers that the time for deliberation and argument was past. Why, they had deliberated for years, they had exhausted all arguments. The matter now resolved itself into a simple question of natural right, and they had only to consider how best to vindicate

that right. No man or body of men could have a right to force upon a community a thing from without which they unanimously refused to receive; which they abhorred and believed would be ruinous to them. Argument and discussion had been of no service to them; their remonstrances and petitions had fallen upon deaf ears. They had done all in this way which men could do, and they could pursue this course no longer. It was a singular and striking feature of this agitation that a very large amount of talent had been exhibited in it. The last debate in the Legislative Council the year before last was one so ably sustained that it would have done honour to the British Parliament. Their petitions from all parts of the country had been able and argumentative documents, and such was their unanimity of sentiment, that when the question was last under discussion in this colony the numbers were 36,000 against and only 500 in favour of the system. But in the face of all this—notwithstanding their repeated protests and petitions—notwithstanding the intelligence which they had brought to bear in the discussion of the question, and the unanimity in the decision which they had arrived at, the tyrannical Minister persisted in thrusting upon them the evil which they were determined not to receive. Well, then, what was to be done? As a free people, as men, they could not retreat from their position; they could no longer go through the farce of remonstrating against an injustice which was persevered in with an utter disregard of their wishes and their interests; they must do something else. He was well pleased to hear their president, Mr. Cowper, talk of fighting. Knowing the mild, affable, and benignant character of that gentleman, he was at first half afraid that he was hardly stern enough for the duties which he might be called upon to perform in his mission to Van Diemen's Land. They had been told that night of the serious consequences which might ensue. Now, he had no desire to bring before them rebellious examples, or he might most properly point to the example of the American colonists; for in the progress of events which led to the loss of those colonies there was a remarkable analogy between some stages and their own case. He would pass over this, because he believed the meeting did not need to be reminded of the glorious and successful struggle of men who were treated with contumely and oppressed in a manner similar to themselves. There was, however, a suggestive passage in a speech of one of those early patriots which he

would with their permission repeat to the meeting. When young Patrick Henry, in the General Assembly of Virginia, was moving his resolutions in reference to the odious Stamp Act, he exclaimed, 'Cæsar had his Brutus, Charles the First his Cromwell, and George the Third——' 'Treason!' cried the Speaker. The young patriot, standing up more proudly than ever, and fixing his eyes on the alarmed Speaker, concluded the sentence—'George the Third may profit by their example; if that be treason, make the most of it!' He would point to the successful resistance of the American colonists, and in the name of that meeting tell the British Government to profit by that example. He had no treason to promulgate; on the contrary, the man did not breathe whose heart beat with a truer loyalty to the gracious and glorious lady who presides over the destinies of the British Empire. But, as was said by their chairman, there was a higher loyalty than that to any earthly monarch—our loyalty to our own nature and to the all-wise God, who has planted in us pure and holy sentiments, and warmed our being with the love of justice and truth. To fall away from this loyalty would be to debase ourselves before our Creator—to deface the divine impress of humanity which had been printed on our hearts. They must go right onward in their course. There could be no mistake in the matter. If Earl Grey had indeed been deceived and misled, the last elections throughout the colonies would surely undeceive him. Even under a Constitution concocted by his own Government, the people of Van Diemen's Land had in every instance elected anti-transportationists to their representative seats. In that unfortunate island—that very sinkhole of English iniquity, where the prison population was so alarming in numbers, and where it could not be doubted many of that class possessed the elective franchise—no representative favourable to the continuance of transportation had been chosen. It was fair to assume that many of the emancipist class in that island had recorded their votes on the side of the anti-transportationists. How could it be otherwise? How could men wish to continue to their children the curse of their own lives? What was it, this desire to get rid of the infamy and degradation of which they had themselves been victims, but the triumph of all that was good and virtuous and lofty and aspiring in the human breast? They were about to send Mr. Cowper as a delegate to the conference of the League at Hobart Town. When he

approached the shores of the island-home of these sturdy and stout-hearted patriots, it was to be hoped that the bracing influences of their climate would make him even bolder than he had been in his speech that evening; and that if the Tasmanian colonists should determine to resist the landing of any more convicts, he would solemnly assure them that the inhabitants of New South Wales were ready to assemble again in some place under heaven, where all the people could be gathered to ratify all the acts so done, and to share in all the consequences. The example of the Cape Colonists was before them. The time was come when their only course was to follow that example; and whenever a prison-ship should arrive in the Derwent, or in any other port, to resist at all hazards the landing of the prisoners thus tyrannically forced upon us.

The party brought together by the anti-transportation cause naturally grew in numbers and strength, and extended its operations into other provinces of public investigation and criticism and of urgent demands for reforms. Mr. William Charles Wentworth, then the senior member for Sydney in the old Legislative Council, and beyond doubt the ablest man in the colony, had, from association with the advocates of transportation and other unpopular proceedings, become the principal figure in support of the old order of things, and no epithet of condemnation was too strong for him and his friends to hurl at the heads of the men who dared to question the wisdom of the colony remaining longer under what was scornfully designated the reign of Nomineeism and Squatterdom. Mr. Wentworth exhausted his great powers of invective in denouncing the new party of reformers as Socialists, Communists, uprooters of law and order, and everything else for which a vile name could be found, though it included many of the most respectable men in the country. I was myself at that early stage of my public life denounced by him from his place in the Legislative Council as the 'arch-anarchist.' Before the storm which had thus been created could have time to sub-

side, Mr. Wentworth produced another popular tempest by his proposals in framing his new Constitution Bill. The first draft of the Bill provided for the creation of hereditary titles, an Upper Chamber on a very restrictive basis, the necessity for a two-thirds majority for any subsequent modification of the Constitution, and a very unpopular distribution of electoral power. Public feeling rose at once in strong opposition to these proposals. But the Constitution struggles must be reserved for a separate chapter.

Towards the end of 1849 I established 'The Empire' newspaper, which continued as a daily journal a little over seven years. The next seven years of my life were mainly devoted to this undertaking; but this part of my public work must also be left for treatment at a later stage.

CHAPTER II

THE STRUGGLE FOR PARLIAMENTARY GOVERNMENT

THE party brought into existence by the opposition to the pro-transportation policy of the English Government, even while the cause of that bitter agitation was dying away, found a fresh field for its activity in resisting the unpopular proposals of Mr. Wentworth and the men who had taken in hand the business of framing a new Constitution for the colony. Mr. Wentworth's name is the name most justly associated with the free Constitution which came into operation in 1856, and under which the colony is still governed. He had in past years, before the advent of the imperfect representative system of 1843, made himself popular by his sturdy condemnation of the arbitrary conduct of Governor Darling; by that and other services he had secured a place in the public regard superior to that occupied by any of his contemporaries. Endowed by

nature with a powerful physical frame and large capacities of mind, Mr. Wentworth had been educated at Cambridge, and trained for the Bar. After a residence of some years in England, he returned to the colony and engaged in the practice of his profession, at the same time, in conjunction with an English friend, Dr. Wardell, establishing a Liberal newspaper called 'The Australasian.' Dr. Wardell, who is reputed to have been a man of large ability, was shot by a party of bush-rangers whom he surprised in the bush a few miles from Sydney, and attempted to arrest; but Mr. Wentworth, with other friends, supported 'The Australasian' for a considerable time as the strenuous organ of Liberal thought and opinion. Steadily exposing the abuses of Government and supporting Liberal principles, he naturally grew to be regarded as the leading patriot of those early days. Soon after his election for Sydney in 1843, he began to move in the cause of a fuller system of self-government for the colony. He was saturated with Lord Durham's report on the constitutional grievances of Canada, and stimulated to activity by his intercourse with liberal-minded men in England; and there is no ground for doubting his sincerity in espousing the cause of the people. But it may be, with just reason, doubted whether the phrase so often idly used, 'The People,' ever in his mind included the masses of his fellow-men. Mr. Wentworth spoke of the people as the old conventional Whig gentlemen of England spoke of the people a hundred years ago. When indignantly repelling the charges, which were often made against him between the years 1847 and 1854, of having abandoned his former Radical principles, I once heard him myself exclaim, in vindication of his political consistency, that he was never a Radical, but always a Whig. Constitutional reform with him meant putting an end to government from Downing Street, and handing over the affairs of the colony, including the public lands, to his own

class. During the last few years of his public life, before his departure for England in 1854, he became irritated and embittered by the opposition he met with, and by seeing his popularity of a former period departing from him; and he seemed to be carried away by the fear of some imaginary ascendancy of mob-rule. It thus came about that almost insensibly he veered round from the opinions by which he first made himself known. His writings in 'The Australasian,' his violent and unsparing condemnation of Governor Darling, and, at a much later period, his assaults upon the character of Governor Sir George Gipps, were on record in marked contrast to his conduct from 1848 to 1854. As some proof that he had changed his opinions, on arriving in England in 1854 he became a member of the Conservative Club; and at one time he was spoken of subsequently as a candidate in the Conservative interest for Liverpool.

For some years after the first elections to the partly elective Council in 1843, Mr. Wentworth's proceedings on behalf of constitutional changes in the government of the colony attracted comparatively little notice from the bulk of the inhabitants. The population was widely scattered, the means of discussion were few and imperfect, even the newspapers in Sydney were weakly conducted and of limited circulation. But to Mr. Wentworth belongs the great merit of forcing public attention to the 'wrongs' of the colony, and with unwearied labours urging their 'redress.' In 1844 the Legislative Council, not long in existence, adopted a protest at his instance against the withholding of the rights of self-government from the colony. In every session afterwards he battered at the door of the Secretary of State with his burden of 'grievances.' In 1851, the English Minister, Earl Grey, sent out to Governor Sir Charles FitzRoy an 'Act for the better government of Her Majesty's Australian Colonies' [the Constitution Act, 13

& 14 Vict. cap. 59], which provided, among other things, for the separation of the district of Port Phillip from New South Wales, and its erection into the colony of Victoria. It also contained provisions for the separation, on petition from the inhabitant householders, of certain parts of the territory lying northward, and their erection into a separate colony or colonies (now the colony of Queensland). In the first Council, the City of Melbourne was represented by one and the district of Port Phillip by five members. Before that first Council ceased to exist, Mr. Wentworth, on May 1, 1851, moved another Declaration and Remonstrance, which is so important as one of the foundation-stones of the fabric of our constitutional liberties, that I do not hesitate to copy it here from the Votes and Proceedings of the time :—

We, the Legislative Council of New South Wales, in Council assembled, feel it to be a duty which we owe to ourselves, to our constituents, and to posterity, before we give place to the New Legislature established by the 13 & 14 Vict., cap. 59, to record our deep disappointment and dissatisfaction at the Constitution conferred by that Act on this Colony. After the reiterated reports, resolutions, addresses, and petitions which have proceeded from us during the whole course of our legislative career, against the Schedules appended to the 5 & 6 Vict., cap. 76, and the appropriations of our Ordinary Revenue under the sole authority of Parliament—against the administration of our Waste Lands, and our Territorial Revenue thence arising—against the withholding of the Customs Department from our control—against the dispensation of the patronage of the Colony at the dictation of the Minister for the Colonies—and against the veto reserved and exercised by the same Minister, in the name of the Crown, in matters of Local Legislation—we feel that we had a right to expect that these undoubted grievances would have been redressed by the 13 & 14 Vict. cap. 59; or that power to redress them would have been conferred on the constituent bodies thereby created, with the avowed intention of establishing an authority more competent than Parliament itself to frame suitable Constitutions for the

whole group of the Australian Colonies. These our reasonable expectations have been utterly frustrated. The Schedules, instead of being abolished, have been increased. The powers of altering the appropriations in these Schedules, conferred on the Colonial Legislature by this new Act, limited as these powers are, have been, in effect, nullified by the subsequent instructions of the Colonial Minister. The exploded fallacies of the Wakefield theory are still clung to; the pernicious Land Sales Act (5 & 6 Vict. cap. 36) is still enforced; and thousands of our fellow-subjects (in consequence of the undue price put by that mischievous and impolitic enactment upon our waste lands, in defiance of the precedents of the United States, of Canada, and the other North American Colonies, and even of the neighbouring Colony of the Cape of Good Hope) are annually diverted from our shores, and thus forced against their will to seek a home for themselves and their children in the backwoods of America. Nor is this all. Our Territorial Revenue, diminished as it is by this most mistaken policy, is in a great measure confined to the introduction among us of people unsuited to our wants, and in many instances, the outpourings of the poor-houses and unions of the United Kingdom, instead of being applied in directing to this Colony a stream of vigorous and efficient labour, calculated to elevate the character of our industrial population. The bestowal of office among us, with but partial exception, is still exercised by or at the nomination of the Colonial Minister, and without any reference to the just claims of the Colonists, as if the Colony itself were but the fief of that Minister. The salaries of the Officers of the Customs and all other departments of Government, included in the Schedules, are placed beyond our control; and the only result of this new enactment, introduced into Parliament by the Prime Minister himself, with the declared intention of conferring upon us enlarged powers of self-government and treating us, at last, as an integral portion of the Empire—is, that all the material powers exercised for centuries by the House of Commons are still withheld from us; that our loyalty and desire for the maintenance of order and good government are so far distrusted that we are not permitted to vote our own Civil List, lest it might prove inadequate to the requirements of the public service; that our Waste Lands, and our Territorial Revenue, for which Her Majesty is but a trustee, instead of being spontaneously surrendered as the equivalent for such Civil List, is still reserved,

to the great detriment of all classes of Her Majesty's subjects, in order to swell the patronage and power of the Ministers of the Crown ; that whilst, in defiance of the Declaratory Act (18 Geo. III. cap. 12, sec. 1), which has hitherto been considered the Magna Charta of the representative rights of all the British Plantations, a large amount of our Public Revenue is thus levied and appropriated by the authority of Parliament, we have not even the consolation of seeing that portion of it which is applied to the payment of the Salaries of our Public Officers distributed as it ought to be, among the settled inhabitants ; and that, as a fit climax to this system of misrule, we are not allowed to exercise the most ordinary legislation which is not subject to the veto of the Colonial Minister.

Thus circumstanced, we feel that, on the eve of the dissolution of this Council, and as the closing act of our legislative existence, no other course is open to us but to enter on our Journals our declaration, protest, and remonstrance, as well against the Act of Parliament itself (13 & 14 Vict. cap. 59) as against the instructions of the Minister by which the small power of retrenchment that Act confers on the Colonial Legislature has been thus overridden ; and to bequeath the redress of the grievances, which we have been unable to effect by constitutional means, to the Legislative Council by which we are about to be succeeded.

We, the Legislative Council of New South Wales, do accordingly hereby solemnly protest, insist, and declare as follows :—

1st.—That the Imperial Parliament has not, nor of right ought to have, any power to tax the people of this Colony, or to appropriate any of the monies levied by authority of the Colonial Legislature ;—that this power can only be lawfully exercised by the Colonial Legislature ;—and that the Imperial Parliament has solemnly disclaimed this power by the 18 Geo. III. cap. 12, sec. 1, which Act remains unrepealed.

2nd.—That the Revenue arising from the Public Lands, derived as it is '*mainly*' from the value imparted to them by the labour and capital of the people of this Colony, is as much their property as the ordinary Revenue, and ought therefore to be subject only to the like control and appropriation.

3rd.—That the Customs and all other Departments should be subject to the direct supervision and control of the Colonial Legislature ; which should have the appropriation of the gross Revenues of the Colony, from whatever source arising ; and as

a necessary incident to this authority, the regulation of the salaries of all Colonial Officers.

4th.—That offices of trust and emolument should be conferred only on the settled inhabitants, the office of Governor alone excepted; that this Officer should be appointed and paid by the Crown; and that the whole patronage of the Colony should be vested in him and the Executive Council, unfettered by instructions from the Minister for the Colonies.

5th.—That plenary powers of legislation should be conferred upon and exercised by the Colonial Legislature, for the time being; and that no Bills should be reserved for the signification of Her Majesty's Pleasure, unless they affect the Prerogatives of the Crown, or the general interests of the Empire.

Solemnly protesting against these wrongs, and declaring and insisting upon these our undoubted rights, we leave the redress of the one and the assertion of the other to the people whom we represent, and the Legislature which shall follow us.

W. C. WENTWORTH,

Chairman of Select Committee.

This Declaration and Remonstrance was adopted on division by eighteen ayes to eight noes, the noes consisting of all the office-holders and two nominee members, and the ayes of the elective members and two nominees.

The struggle for a Constitution similar in scope and outline to that of England had now fairly taken hold of the people; but the popular struggle had expanded beyond Mr. Wentworth's control, and it was soon to eventuate in equal electoral districts, a residential suffrage, and voting by ballot. The Legislative Council elected under the provisions of the new Imperial Act without loss of time renewed the constitutional struggle under Mr. Wentworth's leadership. In his despatches the Secretary of State, Earl Grey, combated the statements and arguments put forth in the Remonstrance of the old Council, and stoutly maintained the soundness of his own views on all points. But the public began to take a more earnest interest in the several ques-

tions raised by the Council's debates, and a surprising vitality was infused into the demands for a full measure of self-government by the complete victory which had been achieved by the Anti-Transportation League. In 1852 two events occurred—a change of Ministry in England and the gold discoveries in Australia—which had much to do with hastening the introduction of Responsible Government. The Russell Ministry fell by the successful assault on their Militia Bill by Lord Palmerston, and Lord Derby formed his first Ministry with Sir John Pakington at the Colonial Office in the place of Earl Grey. The effect of the gold discovery in New South Wales was described by Mr. Wentworth as precipitating the colony into a nation. It fell to the lot of Sir John Pakington to take up the task of Earl Grey in dealing with the Petitions and Remonstrances from the mother colony, and he set about the work in a way which must have disgusted his philosophical predecessor. In a despatch dated December 15, 1852, the new Secretary of State for the Colonies says that the Ministers, after deliberating upon the Petition from the Legislative Council,

have been fully impressed with a sense of the importance to be attached to that Petition, not only as proceeding from a great majority of the Legislature of the Province, but as reiterating that statement of the causes of discontent felt by the community which had been deliberately urged by their predecessors upon the attention of Her Majesty's then Government—a statement, moreover, which was accompanied by your assurance that its sentiments were shared by the most loyal, respectable, and influential members of the community.

The despatch proceeds :—

But they are influenced, in addition, by considerations arising from those extraordinary discoveries of gold which have lately taken place in some of the Australian Colonies, and which may be said to have imparted new and unforeseen features to their political and social condition. They are sensible that they have now to consider the prayer of the Petition thus laid before

Her Majesty with reference to a state of affairs which has no parallel in history, and which must, in all human probability, stimulate the advance of population, wealth, and material prosperity with a rapidity alike unparalleled.

The general conclusions at which the new Minister had arrived were virtually to yield on all heads to the demands of the colony. Her Majesty's Government, the despatch continues, in reference to the revenue to be derived from the disposal of the public lands, 'are willing to rely in this, as in other respects, on the foresight and political judgment' of the Colonial Legislature; and the wish of the Government is definitely expressed that the Legislative Council, under the provisions of the existing Constitution Act, should proceed to frame a new Constitution in accordance with the outlines so repeatedly and persistently presented for the sovereign's sanction. The Derby Ministry had a short lease of power, and the Duke of Newcastle succeeded Sir John Pakington at the Colonial Office. In a despatch of January 18, 1853, to Governor FitzRoy, the Duke says, 'My colleagues and myself cordially adopt the conclusions of Her Majesty's late Government respecting the future administration of the Waste Lands of the Crown,' and, inferentially, the other important matters embraced in the Petitions and Remonstrances. He then adds:—

I am ignorant of the shape which the project under the consideration of the Committee of the Council may eventually assume. The Legislative Council, indeed, in the Petition before adverted to, favoured a Constitution similar in its outline to that of Canada. It would be premature for me, without materials for forming a judgment, to pass an opinion upon the policy of totally reconstructing the frame of Government recently established; but I may state that I have always thought it probable that the experience and wisdom of the Council would dictate better provisions than Parliament for securing good government in New South Wales, and promoting harmony in the connection subsisting between Great Britain and this important Province of the Empire.

Thus within two years after the Constitution Act, 13 & 14 Vict. cap. 59, came into operation, the colony was on the eve of gaining a free Constitution, framed by its own great 'son of the soil,' transferring all the revenues and patronage of the Crown to the local Legislature. In 1852 I began to take an active part in the constitutional discussions outside the Legislature. In 'The Empire' newspaper, and on the platform, I strenuously opposed what were popularly regarded as Mr. Wentworth's retrograde tendencies. The gentlemen who took part with me in those agitations were certainly not demagogues, or men wanting in social influence. Among them were Mr. John Gilchrist, Mr. J. L. Montefiore, Mr. John Brown, Mr. T. S. Mort (whose statue now stands in front of the Sydney Exchange), and other of the leading merchants of the colony; the late Sir John Darvall, K.C.M.G., Mr. Robert Johnson, and Mr. George Kenyon Holden, two of the most influential solicitors; the gifted Daniel Henry Deniehy, and many other important citizens. In 1852 Mr. Wentworth obtained a Select Committee to consider the question of a new Constitution. The committee reported, and brought up a draft Bill, but the matter was not carried further in the Council. In the early part of 1853 he again moved for the appointment of a Select Committee to prepare his great measure. I give the names of the committee as they were known in later years:—

Mr. W. C. WENTWORTH, Chairman.

Mr. JAMES MACARTHUR (of Camden).

Mr. JAMES MARTIN, afterwards Chief Justice.

Mr. CHARLES COWPER, K.C.M.G.

Mr. T. A. MURRAY, afterwards Speaker and President of the Legislative Council.

Mr. GEORGE MACLEAY, K.C.M.G.

Mr. E. DEAS THOMSON, K.C.M.G.

Mr. JOHN HUBERT PLUNKETT.

HENRY GRATTAN DOUGLASS, M.D.

Mr. WILLIAM THURLOW.

The committee thus constituted, after a ballot which changed three of the names, met on May 27, and fifteen meetings altogether were summoned. Strange as it may appear, considering the momentous task entrusted to them, many of the members very irregularly attended to their duties. In due time Mr. Wentworth brought up his report, which was the signal for an outburst of popular dissent from several features of his scheme. On August 9 he obtained leave to bring in his 'Bill to confer a Constitution on New South Wales, and to grant a Civil List to Her Majesty.' The Bill, having passed through its first stages, was, on the motion for the second reading, debated at great length, and with striking ability. The speeches of Mr. Wentworth himself, Mr. Plunkett (the Attorney-General), Mr. Martin (afterwards Sir James), and Mr. Darvall (afterwards Sir John), for their eloquence and power were deemed worthy of any legislative body. The second reading was carried by 33 votes against 8; but that minority represented a party (many of them yet outside, and waiting to enter the Parliament to be created by this Bill) who were destined very soon to rule the country. I give some extracts from Mr. Wentworth's speech when opening the memorable debate on the second reading of his Bill. Having expressed a strong opinion that the absence of petitions against the measure was a conclusive proof that the people were satisfied—that the apathy to which I have alluded was really a silent assent of approval—he proceeded to complain of a public meeting in opposition that had been held on the previous day, and to denounce members of the Council who had attended it:—

I do not know whether it is worth my while to refer at all to the proceedings out of doors yesterday in regard to this question. But I cannot help expressing my deep regret that so many members of this House should, by taking part in these proceedings, have forgotten alike what was due to them—

selves and to the dignity of the Council. (Cheers.) I feel that, by the part they have taken in this matter, they have destroyed the freedom of the representatives of the country; they have degraded the position which the Legislature of the country ought to occupy, and I lament much to see some hon. members, my friends, and who have on most occasions acted with me, consent to sink from the rank of representatives to that of mere miserable delegates. (Loud applause, and 'No, no,' from Mr. Darvall.) My honourable and learned friend says 'No, no,' but I ask the House, Can any hon. members who have identified themselves with the proceedings of yesterday act in this House as free agents? (Cheers.) Why, if the arguments they have put forward were refuted to their own absolute conviction—if the declamation and reasonings, if they could be called such, used at that meeting could be utterly demolished—blown into thin air—if it could be proved to demonstration that the Constitution this Bill offered was calculated to secure on the most permanent basis the free institutions, and the moral, social, and the material interests of the colony, they could not now support it. They had become the delegates, the pledged delegates, of a noisy and intemperate faction, and they must continue in that degraded position to the end. (Cheers.)

This reads in strange contrast to the practice of the leading statesmen on both sides in the Imperial Parliament, both then and now taking vehement part out of doors in condemnation of measures to which they are opposed. The Mr. Darvall to whom Mr. Wentworth referred (afterwards Sir John Darvall) was a leading member of the colonial Bar, and enjoyed a position equal to that of Mr. Wentworth himself. The orator then plunged into a set denunciation of the merchants and the people of Sydney generally, in the following language:—

What interest does the population of Sydney represent? True there are hosts of people in the city calling themselves merchants, and I admit these give employment to a large number of others of lower degree. These merchants, however, are simply engaged in exchanging one commodity for another—

the sending the produce of the colony home and getting out the goods of foreign countries instead. But they, as a class, with the exception of the shipowners, are productive of absolutely nothing to add to the real wealth of the colony. There is no urgent necessity for them—the colony could do without them; all that this class of people have done for me, for instance, I could have done for myself. I could have sent abroad for the tea, the sugar, the tobacco, the silks, the wine and spirits, and other articles I might require, and have obtained them just as well without the instrumentality of the merchants, and what I could thus have done any other person might have done also.

Excited, and, as it were, infuriated by the indiscriminate cheers of his pliant majority, made up largely of those officials and nominees whom in former years he so bitterly denounced, Mr. Wentworth proceeded to foretell the ruin of the country by the flood of democracy that was setting in, and to defend some of his most unpopular proposals. The report of the speech goes on:—

What incentive is there now held out to those who, having made fortunes here, desire to see their sons occupied in higher pursuits than those of trade? Here are no poor, no middle class in the sense in which these words are used at home; all are rich; yet what do people aspire to here, who, having accumulated perhaps 50,000*l.* or 100,000*l.*, do not care to pursue the drudgery of money-making any longer? I will tell the Council; they aspire to a speedy migration to other lands, seeing it is better for themselves and families to build up homes where the democratic and levelling principles, so rapidly increasing here, are scouted, and where there are high and honourable pursuits and distinctions to which the children of the prudent may aspire. (Loud and prolonged cheers.) Who would stay here if he could avoid it? Who with ample means would ever return if once he left these shores, or even identify himself with the soil so long as selfishness, ignorance, and democracy hold sway? (Renewed cheers.) And yet what a glorious country would this be to live in if higher and nobler principles prevailed; blessed with the most bounteous gifts of Providence, it affords in its rich and illimitable tracts happy homes for the millions yet unborn. (Hear, hear.) With regard to the clauses in question, I know not the opinion of honourable

members, but I can only say that if they be not adopted the colony will be virtually disfranchised. (Loud cries of 'hear' from all sides.) Why, I ask, if titles are open to all at home, should they be denied to the colonists? Why should such an institution as the House of Lords (which is an integral part of the British Constitution) be shut out from us? I cannot now 'pause for a reply,' but I, nevertheless, should like to hear my honourable and learned friend (Mr. Darvall) answer that interrogatory. (Hear, hear.) A great deal of ridicule has been cast on these hereditary clauses, but those who cast it knew very little of those who proposed them. (Hear, hear.) They had been twitted with attempting to create a mushroom, a Brummagem, a bunyip aristocracy; but I need scarcely observe that where argument fails ridicule is generally resorted to for aid. I seldom care to allude to personal attacks upon myself, and if I allude to some which have been recently made, it is but to express my utter contempt for the vagabonds who made them.

Although he passionately denounced American institutions, and held aloft his copy of the British Constitution, as he persisted in calling his Bill, in happy contrast, it is curious to observe how much he relied on American authorities, including, of all others, Mr. Calhoun. I do not notice the weak side—I had almost written the violent side—of Mr. Wentworth's public character with any desire to diminish the credit which is richly his due in fighting the battle of the Constitution. What I have said appears to be necessary to give a clear view of the party then forming to take up the constitutional cause on a wider basis, and the public opinion beginning to assert itself in a spirit of equality with England. The British subject who had emigrated to Australia began to cry aloud that he had lost none of his privileges by coming to the colony, and the native-born part of the population were not slow in making common cause with their fellows. The narrow class distinctions of earlier days were fast melting away, and a new order of things was developing itself on all sides.

As in most cases of popular contention, in the heated

opposition to the objectionable parts of Mr. Wentworth's scheme, no sufficient attention was given to its great merits, and positive injustice was done to his indomitable efforts year after year to uplift the colony from its politically lifeless condition. His unwise proposals to secure his handiwork from alterations by those who might come after him, and his hasty and intemperate epithets of 'democrat,' 'communist,' and 'mob-rule' applied to his opponents, made him extremely unpopular with large numbers who had not watched his steady, unwearied, and enlightened labours in championing the main principles of constitutional government. His aversion to an unrestricted franchise, and his desire to tie the hands of the Legislature he was endeavouring to call into existence, were eagerly seized upon, and his noble contention throughout for the right of the country to dispose of its own lands, impose its own taxes, expend its own revenues, and appoint its own public servants, were lost sight of in the transient fury of opposition. I took part in nearly all the public meetings against the unpopular provisions of the Constitution Bill, and these did not cease till the Bill had been finally dealt with in the Imperial Parliament and returned to the colony. In the Session of 1853 Mr. Wentworth (whose intention to visit England was known) was appointed, in conjunction with Mr. Edward Deas Thomson (the Colonial Secretary of that day) to support the Bill in England in its passage through the Houses of Parliament, and in any other manner deemed expedient. In the following year Mr. Wentworth, on his departure from the colony, resigned his seat for the city of Sydney, and Mr. Charles Kemp, the senior proprietor of the 'Sydney Morning Herald,' was brought out as a candidate in the same interest for the vacant seat. I had become so well known by this time that a few days before the nomination I was brought into the field as an opposition candidate. At that time Sydney

MY ELECTION FOR THE CITY OF SYDNEY, 1854 87

was one electorate, and returned three members to the old Council; the election was by open voting, and the lowest qualification for the franchise was a 10*l*. household. On the day of polling, May 2, 1854, I was returned by the following record of votes:—

Parkes	.	.	.	.	1,427
Kemp	.	.	.	.	779

By this election I took my seat in the old Council which had passed the Constitution Bill, and as the successor of its author, two years before the advent of Responsible Government. In this contest for the representation of Sydney I was supported by several influential men, who remained my staunch political supporters, through good and evil report, until they passed away to their graves. Mr. Jacob L. Montefiore and Mr Edward Flood were of the number of these—my unchanging friends.

Mr. Wentworth had now disappeared from the scene, but the agitation against the unpopular provisions of his Bill went on with increasing strength and numbers. Petitions were sent to the Imperial Parliament praying both Houses not to assent to them, and powerful support to the views of the oppositionists was awakened in England. Among the men who rendered valuable service to our cause in England was Viscount Sherbrooke (then Mr. Robert Lowe). After a few years of lucrative practice at the bar in Sydney, Mr. Lowe had left the colony, and had been returned for Kidderminster to the House of Commons. He soon was offered and accepted office. In reply to a letter from myself congratulating him upon his entrance into official life, Mr. Lowe wrote in April 1853 unhesitatingly expressing his views of the designs of the authors of the Constitution Bill as it reached England. Many other influential men—Mr. A. W. Young, M.P., for example—shared these views to the full. Though the field of contention was changed from Sydney to Westminster, the adversaries of the Wentworth proposals, which had been so

you have been a member of the COLONY, which is a
 very important position, and I am sure you will
 be able to do it.

At Law, 1871
 Adelaide.

My dear Sir, I am very grateful to you for
 the letter which you have just received. I am
 sure that you will be able to do it. I have been
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 write to you. I am sure that you will be able to
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From
an Engraving
by H. F. Tadd 1874

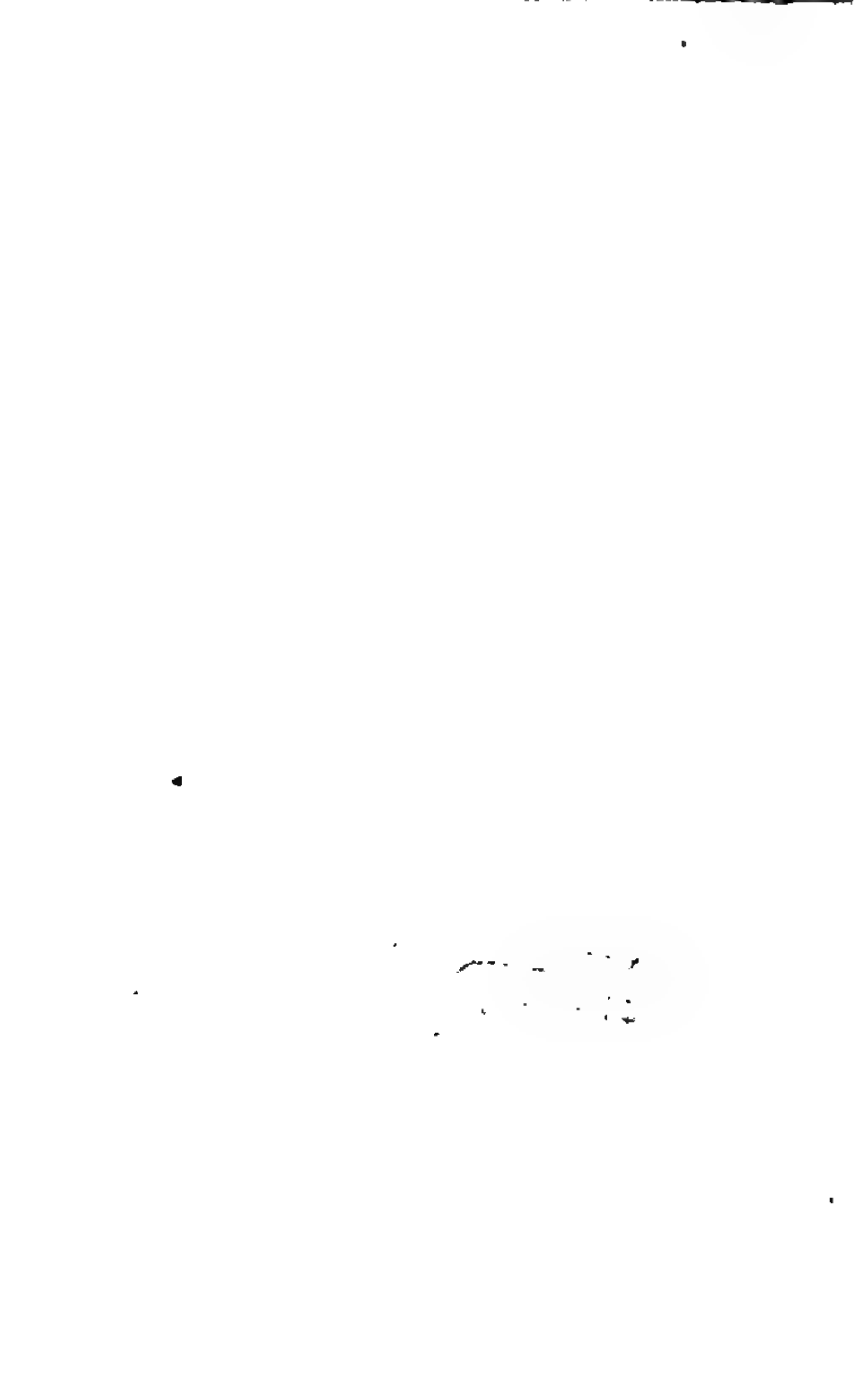
Henriches

generally condemned in the colony, were at their posts in England. The following is a copy of Mr. Lowe's letter:—

84 Lowndes Square, London,
April 6, 1858.

My Dear Sir,—I am very grateful to you for your kind congratulations, and hope my future career may justify them. Of one thing you may be sure, that I never have lost, and never will lose, my interest in Australia, and that I am happy to have been the means of serving her, if not prominently, at least effectually. I very much disapprove of the provision in the proposed Constitution which appoints an Upper Chamber for life out of the existing members of Council. Such a proposal lowers the colony very much in the opinion of people here. Your present public men are not as a body worthy of so marked a distinction, or rather so close a monopoly; and I am quite sure that, if they are appointed for life, in a few years you will be heartily ashamed of them, and find that you have anticipated your resources by putting worse men in a place which might have been occupied by better.

The scheme appears to me to be designed to retain power in the hands of the present public men, and to exclude, or at any rate to render helpless for your good, the talent and respectability which every ship is carrying to you. A nation ought no more to squander its moral and intellectual than its physical resources. You are about to re-create in Australia the family compact which for so many years oppressed Canada. If you must have a nominated Council, at any rate throw it open to everyone, and limit the term of office to a few years, so that any evil you do may not be without remedy. But why have a nominated Council? Opinion in this country is in favour of two elective Councils, the upper one to be for a longer period, of more mature age, chosen from larger districts, and going out one-third at a time, so as to have a more permanent element in it. I trust that before you receive this letter the colony will have shown that, having shaken off the interference of the Colonial Office in its affairs, it is not going to load itself with fetters of its own forging. If you wish to be hampered with a nominated Council, it is no part of my duty as a Member of Parliament to contravene you; but I will not, if I can help it, allow the present generation to sacrifice the hopes of their



From
an Engraving
by H. L. S. 1864

Henry Thomas

children by fixing them with a Council *for life* chosen exclusively from your present public men.

If you think the making these views known would do good, you are quite at liberty to do so.

I ought to mention that, in giving me the office I now hold, Government intimated to me that it was partly in consideration of my public services in Australia, a fact which I trust will prove that an independent course is not always impolitic.

Believe me,

Very truly yours,

Henry Parkes, Esq.

R. LOWE.

In the colony I continued my course in association with the opponents of the Bill as it left the Legislative Council. After the triumphant second reading, I attended an open-air meeting of fully 5,000 citizens which was held near the Circular Quay on September 5, 1853, and moved the following resolution:—

That this meeting records its surprise and indignation at the unconstitutional doctrines advanced in the Legislative Council during the discussion of the present measure, whereby the great maxim of just and enlightened government, that 'All power emanates from the People,' is sought to be denied; and that, viewing the inherent defects of nomineeism and class interest in the existing Legislature, this meeting publicly records its total want of confidence in that body in reference to this measure, which is fraught with the most momentous consequences to the whole people.

In my speech I quoted Bentham against Mr. Martin's notions of the value of property qualifications in securing political fitness, and Lord Chatham against Mr. Wentworth's estimate of the importance of the merchants. I dealt with the personal attacks which at that early stage had been made upon myself, and I advocated the adoption of my resolution in a manner which secured its unanimous acceptance amidst the general applause of the meeting. The following are the principal parts of my speech on that occasion, and this must serve to represent the many speeches I made

before the agitation came to an end. The newspaper report makes me say :—

It would be his duty, in the first place, to show that the doctrines which had been advanced in the Council were unconstitutional, and in the next, that they had just grounds to declare that they had lost all confidence in the Legislative Council with regard to this measure, from the inherent defects of nomineeism, and the prevalence of class interests in that body. He would then advert to the speeches that had been made in that House by the honourable member, Mr. Wentworth, and the honourable member for Cork and Westmoreland, Mr. Martin, and he should rely mainly on those two speeches, which had been received with so much applause, to prove his case. Mr. Wentworth in the course of his opening speech had informed them, doubtless much to their astonishment, that the mercantile and trading classes were altogether unnecessary and did not need representation. That gentleman could not see what there was to represent beyond the squatting interest. This was in strange taste as coming from the senior member for the city, to say nothing of its injustice and absurdity. The other honourable member, Mr. Martin, did not regard the 'lower classes' at all. If he understood Mr. Martin's speech aright, he contended that the great body of the people had no right to be considered at all in questions of government. He told us plainly that man had no inherent right to representation; that it was for the Legislature to determine to whom should be granted this right; that the franchise was a mere matter of convenience, to be fixed by those who had the power to fix it. The Solicitor-General (Mr. Manning), who, he was bound to say, had met the question in a more fair and liberal manner than any of the other supporters of the Bill, had also talked about the people 'as one of the estates of the realm.' The learned gentleman repeatedly made use of that expression. Now, he would like to know, if that estate were taken away, where all the other estates would be. According to all the constitutional authorities he had ever read, the people were regarded as the basis of the realm itself. It certainly seemed strange to him to hear the people set down by a law officer of the Government as 'one of the estates of the realm.' If that estate were taken away, he should imagine that the honourable gentleman's salary would soon follow. Mr. Martin, in his

speech, went on to state 'that he did not recognise the right of any meeting or any body of men to sit in revision of the acts of that Council. The Council was elected for the purpose of legislation, and he (Mr. Martin) wanted to know what was the superior body that was to sit in review of their acts.' This, let it be remembered, was the legislative body which was condemned by the very Constitution Bill which Mr. Martin himself was endeavouring to pass. Old-fashioned people thought that there was such a thing as the right of petition, as the right of free discussion—to review in public meeting the conduct of the Government, and the conduct of the people's representatives. It would be found that there was an ulterior right when their legislators were acting treason against the liberties of the people—the right to punish, the right to send them back into the obscurity from which they had emerged. These were some of the unconstitutional doctrines against which he for one protested, and against which the resolution was aimed. And considering how loudly they had been cheered, how cordially they had been responded to in the Legislative Council, he thought the reception they had met with was sufficient to destroy all faith in the Council's intelligence and sense of justice. But having some consideration for the large array of authorities which these members had brought to bear upon the question, he would beg permission to place before the meeting the opinions of men not less distinguished, in order to fortify his own opinions, which were of very little value in themselves. He would assure them that his authorities were not perverted as others had been in the Legislative Council, but that the sentiments expressed in the extracts he was about to read were in accordance with the doctrines which these illustrious men had spent their lives in establishing. The first authority he would trouble them with was Jeremy Bentham, and he ventured to think that he was almost as great a philosopher as James Martin. Another of his authorities would be a statesman, who was now known in English history as the 'Great Commoner'; he meant the illustrious Earl of Chatham. He ventured to think that he might be considered nearly as great as William Charles Wentworth. Bentham, then, said, 'Property, it is continually said, is the only bond and pledge of attachment to country. Not it, indeed. Want of property is a much stronger one. He who has property can change the shape of it, and carry it away with him to another

country whenever he pleases. He who has no property can do no such thing. In the eyes of those who live by the labour of others, the existence of those by whose labour they live is indeed of no value; not so in the eyes of the labourers themselves. Life is not worth more to yawners than to labourers; and their country is the only country in which they can so much as hope to live. Among a hundred of them, not ten exceptions to this will you find.'

I then quoted Dr. Channing on the spiritual inner life of the better portion of the labouring poor. 'You may shut him out of your houses, but God opens to him heavenly mansions. He makes no show indeed in the streets of a splendid city; but a clear thought, a pure affection, a resolute act of a virtuous will, have a dignity of quite another kind, and far higher than accumulations of brick and granite,' &c. Coming back to our denouncers in the Legislative Council, I said:—

They had been told by Mr. Martin that they were not able to form a serious opinion, or one of any value on important questions; but he would rather take the judgment of Dr. Channing. Let them now hear what Lord Chatham had said upon the subject, speaking in the House of Peers:—

'I myself am one of the people. I esteem that security and independence which is the original birthright of an Englishman, far beyond the privileges, however splendid, which are annexed to the Peerage.'

He hoped these authorities would be sufficient to prove that the people of this colony had been treated with a contumely and arrogant disregard which were foreign to the feelings of Englishmen of whatever rank, and that the course pursued in the recent debate did not entitle the Council to their confidence and respect. What was the doctrine that had been advanced in the Council but, in effect, that the people were unworthy of the free expression of opinion or the exercise of political influence? He would now address himself to the other part of the resolution, which declared that, from the inherent defects of nomineeism and the existence of class interests in the Council, that body was not deserving of the confidence of the people. And on this subject he must trouble them with one more quota-

tion. It was from a gentleman in the colony, one who was now living an active life in their midst, one who was universally regarded as one of the most powerful intellects that this country had produced. He was about to read the opinions of no less a personage than Mr. Wentworth himself on the subject of nomineeism.

I then quoted a passage from a letter published by Mr. Wentworth some years before, in which he spoke of the nominee members of the Council as ‘a body of official and unofficial members, the former of whom are given to understand, notwithstanding their oaths, that it is a condition of their tenure of office that they are to support all measures of the Government, whether good or bad ; and the latter of whom, for the most part, seem only to have been selected from their utter incompetency to offer any effectual resistance to such measures.’ Of course Mr. Wentworth would have answered that his nominee Upper House would be composed of far different men from those whom he had here described. I contrasted his description of the nominees now with his earlier picture of them, and proceeded :—

No wonder those gentlemen, seeing his vivid powers of description, were now delighted to get him on their side. This was Mr. Wentworth’s opinion in 1842 ; no doubt, if they could penetrate the inmost recesses of that gentleman’s heart, they would find that he had the same opinion still of his new allies. But, without any such supernatural scrutiny, they might arrive at what was Mr. Wentworth’s opinion now, or at least what it was only a few months ago. He would give them an extract from Mr. Wentworth’s speech on moving for a committee to draw up this very Bill that they were now discussing :—

‘In excluding from the list of the committee which he proposed the name of any nominee, more especially any official nominee, he was actuated by a consideration of delicacy towards these gentlemen. To place them on such a committee as this would be to place them in a false position—false to themselves and the office they held—and a position in which they ought not to be placed. This was the sole reason why, in the com-

position of the committee, he had confined it to the elective members of that House, and to infuse any other element into the constitution of the committee would be to prevent the sense of the House from being properly arrived at. These were his views in reference to the composition of the committee. He trusted that if any opposition to such a course manifested itself, the elective element in that House was strong enough to put it down.'

This was an extract from Mr. Wentworth's speech in the Legislative Council on June 16, 1852, and he thought it contained pretty strong language in condemnation of nominee legislators. He would ask, if the nominees were unfit to deal with the Constitution question twelve months ago, how much better fitted were they on Friday night last, when Mr. Wentworth implored these very men to give him their votes? There remained one more point in the resolution, and that was the assertion of the existence of a class ascendancy in the House. Since he had been on the hustings that afternoon, he had been told by a member of the House that there were no less than thirty-three members of that body closely connected with the squatting interest. That was a very significant fact, especially when they took it in connection with Mr. Wentworth's assertion of the right of fifty or sixty families to erect themselves into an aristocracy, and to form eventually, as he proposed, an Upper House of Legislature. This right on the part of an arrogant few was assumed in Mr. Wentworth's first speech, and in his second speech we were told that he had devised his notable scheme of hereditary titles with a view to the peculiar qualifications of the 'shepherd kings' of the country, who already possessed splendid acquisitions of land, and were on the high road to fortunes which would maintain them in a state of nobility. The squatters were, in fact, the only class in the country who could support the dignity and splendour of a title. If they duly weighed all this, and then looked at the last clauses of the Bill, they would see by the provisions Mr. Wentworth had made to secure the possession of their lands in the hands of the squatting interest that a deep design to exalt and aggrandise a class by the spoliation of the people was at the bottom of the present measure. Unless two-thirds of the Legislature, a large proportion of whom they might clearly see would be connected with the squatting interest, gave their assent to any alteration in the Constitution, the lands would be theirs in perpetuity. He

thought this was most conclusive evidence that there was this class ascendancy in that body which was denounced in the resolution as dangerous to the liberties of the people. If the members of the Legislature were so daring, so deeply infected with treason—he could use no milder term—towards the liberties of the people, as to deny their right to meet and express their opinions; and if they treated their petitions with contumely and disregard, he must say that it was idle to petition that body any longer, and that it was indeed time to express a public want of confidence in its deliberation and its acts. When they remembered that one-third of the members of that House were there without the concurrence of the people at all, and the majority of the elective members—elected, it was true, but by a system which was a perfect mockery of representation—were opposed to the wishes and the interests of the people, surely, in the name of everything that was just and true, in the name of everything that was thoroughly British, it was time to express our total want of confidence in that body. He would now call their attention to the aspersion of the mercantile interest that had been indulged in by Mr. Wentworth; and he thought he could not do better than contrast his opinions with those of the great Earl of Chatham. Mr. Wentworth boldly declared that the merchants of Sydney were of no use, that the colony could do very well without them. The Earl of Chatham had said, in speaking of the same class: ‘I hope, my lords, that nothing I have said will be understood to extend to the honest, industrious tradesman, who holds the middle rank, and has repeated proofs that he prefers law and liberty to gold. I love that class of men. Much less would I be thought to reflect upon the fair merchant whose liberal commerce is the prime source of national wealth. I esteem his occupation and respect his character.’

Though no arguments were required to expose the absurdity of Mr. Wentworth’s notions, he could not help quoting the estimate formed of the value of the tradesman and the merchant by the great English Commoner. According to Mr. Wentworth, these great classes—whose intelligence and enterprise were of such immense importance to every civilised community, and who were themselves generally the most enlightened promoters of the well-being of the State—were perfectly useless, and dis-entitled to any consideration in the working of representative government. (Here the speaker was interrupted by much

cheering and repeated cries of 'Bob Nichols.'¹) Well, he had been frequently reminded of that honourable member, but he had not much to say about him. He would tell them what a witty friend of his had said respecting that gentleman a few days ago. On being told that Mr. Nichols had recanted and joined the nominees, he replied, 'Poor Robert! he has been canting all his life, and it is now high time he recanted.' It might be truly said that Mr. Nichols had been canting in more senses than one—canting like a ship without ballast, as well as dealing in all the discarded cant of political quackery. But with respect to Mr. Nichols, who was now so conservative in his ideas, they would all remember that that gentleman not long ago had talked very loudly about 100,000 American sympathisers coming over to enable the colony to obtain its independence. This was said at a public dinner in this city, presided over by Mr. Nichols; and who did they think was the person who on that occasion took exception to the anti-British language of Mr. Nichols? Why, it was Mr. Wentworth's arch-anarchist, the humble person now speaking, who in that room protested against the disloyal language of the honourable gentleman. And now with regard to the aspersions so freely cast upon himself. Mr. Wentworth had honoured him with the title of the 'arch-anarchist.' He supposed he was regarded as the leader of the imaginary 'ruffians' who were to go down to Vacluse and pillage it.² He would tell that honourable gentleman that he had no such power, no such influence, as was attributed to him. The part he had taken in the present movement was a very humble one; he had done no more than any other member of this committee; and with regard to his being an anarchist, he most indignantly denied that he was in any respect a worse citizen than Mr. Wentworth himself. In the opposition he had felt it his duty to give to the measure now under discussion, he was actuated by the same singleness of purpose which he believed actuated all the gentlemen with whom he was associated. Mr. Wentworth had said that if certain persons—the 'arch-anarchist,' he supposed, among them—got the upper hand, they would trample on the country

¹ The late George Robert Nichols, who, though carried away on the Constitution question by his admiration for his fellow-countryman, Mr. Wentworth, had been identified with most of the Liberal movements in the colony, and was the author of many useful measures.

² Language of the character indicated was frequently applied to the opponents of the Constitution Bill by Mr. Wentworth and his friends.

with an iron heel. But the truth was that they were seeking to rescue the country from the 'iron heel' of others. He had himself been charged with want of loyalty to his fatherland. It would be more pardonable in Mr. Wentworth than in him to be deficient in patriotic feeling and in loyalty. He, at all events, had right good reason to be proud of his fatherland, and there was no pulse of his life that beat with truer warmth than that which responded to the title of a loyal Englishman. He was born in the heart of Old England, within a few hours' walk of the spot where Shakespeare was born, where some of the noblest associations of English history were fresh in the hearts of even the rural population; and he had been reared in one of the greatest and most prosperous and public-spirited towns in Great Britain. He spurned the attempt to fix upon him any advocacy of republican government. He was sincerely attached to his native country and her institutions. It was his heartfelt desire that that flag (pointing to the British ensign over the hustings) might wave in peace and security over his grave, and over the graves of his children; and in ages to come might float the banner of a great and glorious people here, affiliated by all the bonds of affection and justice to that dear old land from which they were all descended. In his judgment, it would be a great and fatal mistake to attempt in Australia any mere imitation of the noble form of government under which the great American people had risen to such colossal power. Nor did he imagine that, with the progress of events, the character of any known nation would be slavishly reproduced here. He thought this country was destined to show the spectacle of a great nation perfectly free, profoundly prosperous, and glowing with distinctive national aspirations, and yet united in the bonds of affection and political interests to the mother-country. He did not want a 'Yankee Constitution' any more than Mr. Wentworth. But by all that was sacred, by the God who had given them a great and fruitful country to dwell in, he for one would never consent to have a Norfolk Island Constitution. He objected—and the gentleman with whom he was proud to act on this occasion objected—to Mr. Wentworth's scheme, because it was a scheme in violation of the true principles of the British Constitution. He had thought it right thus publicly and explicitly to defend himself and those who were associated with him against the charges which had been so recklessly made; he flung back those charges

with unutterable scorn ; he desired nothing beyond that which he was entitled to ask as a loyal and patriotic subject of the Queen of England. Before he sat down he would briefly advert to some of the misrepresentations of matters of history which had been put forward in the Council. A gentleman for whose public character he had a high respect—he meant the Attorney-General (Mr. Plunkett)—had told them with an air of triumph that the great men who framed the American Constitution had sat for months and years in discussion on the measure with closed doors, and that when their plan was matured they promulgated it by authority. But the historical fact was that, in the eleventh year of the Confederation, it was found that the Articles of Confederation were so defective for affording adequate power for national purposes—and this conviction had been forcing itself upon the minds of statesmen for several years—that it was determined to form a Convention for the revision of the form of government. Delegates for this purpose were appointed by twelve out of thirteen States, who met in Philadelphia on the 14th of May, 1787, to form a Constitution ; and so far from sitting for years, he found that on the 17th of September in the same year they presented their report to Congress, which on the 28th of the same month remitted it to the several States for approval. To a certain extent it might be true that the delegates sat with closed doors, for as it was cold in America, they probably did not leave them open. But so far from the Constitution being promulgated by authority, he found that one State, Rhode Island, refused to accept it, and stood out from the Union for two years and eight months. Virginia, stirred up by the great eloquence of Patrick Henry, one of the most remarkable men of the Revolution, also opposed it and refused to accept it for many months. These were the facts of the case, and they showed the false basis of knowledge upon which gentlemen in the Council proceeded when they could listen to such distorted statements, and at the same time brand the people out of doors with ignorance and meddling with matters they did not understand. The Attorney-General had also told them that the Senate of the United States was elected by the Sovereign States, and therefore was appointed by a process analogous to the appointment of nominees by the Queen's representatives ; this, at all events, was what he understood from the speech of that learned gentleman. But Mr. Plunkett must have been greatly misled ; for it was known to

most of them that the Senators were elected by a majority of the votes of the State Legislatures. He was somewhat at a loss to understand why the Attorney-General had pronounced such a high eulogium on the speech of Mr. Martin. He was ready to admit that that speech in many respects was an able one, but still he was surprised to hear the Attorney-General speak of it in terms of rapture. But he found, on referring to the conclusion of that speech, a very satisfactory reason for Mr. Plunkett's admiration. Mr. Martin concluded with a very patriotic avowal that he would pension off the officers of the Crown at their full salaries, and doubtless such an idea of constitutional government was very delightful to the worthy Attorney-General. In conclusion, he urged them to consider whether they had not just reason to assent to the resolution he had read to them. After the contumely that had been heaped on them and their petitions—after the unconstitutional doctrines which had been propounded by the Legislative Council—he for one would never send another petition to that body on this question. He denied the right of that House to force this Constitution on the people of the colony; and it was the bounden duty of all classes to appeal to a higher power—a more impartial tribunal. He had no doubt as to what the result of that appeal would be. Despite the overwhelming majority in the Council, the reasonableness and justice of their petitions would prevail, and the youthful energies of this fair country would be freed from the infliction of this most detestable and un-British measure.

By the time when the Constitution was finally dealt with in the Imperial Parliament, Lord John Russell had become Secretary of State for the Colonies. By the Imperial Act 18 & 19 Vict. cap. 54, enacting the Bill from the colony in the form of a schedule thereto, and enabling Her Majesty to assent to it, power was given to the new Parliament which it created to repeal any of the obnoxious clauses by a simple majority. In the language of the Act, it was 'lawful for the Legislature of New South Wales to make laws altering or repealing all or any of the provisions of the said reserved Bill, in the same manner as any other laws for the good

government of the said colony.' The Bill received the Royal assent on July 16, 1855, and the new Parliament was elected under its provisions in the middle of 1856. Not many months passed away before the two-thirds majority clause, the clause to exclude clergymen from election to the Assembly (notoriously aimed at Dr. Lang), and the other provisions which had called forth such strong opposition in the colony, were all repealed. This was the death-blow to the old party who had exercised all influence in former years, only checked by rancorous jealousies amongst themselves or the occasional stand of a spirited governor.

There were some political anachronisms, if not something worse, in framing the Constitution, which, so far as I know, have never been noticed. For instance, the 51st clause provided that pensions should be demandable by the judges of the Supreme Court to the amount of seven-tenths of their actual salaries after fifteen years' service as such judge in the colony; but while the Bill was in committee, an amendment was moved and carried, notoriously to meet the case of one of the existing judges who had held inferior offices before his appointment, in these words:—'So far as the present judges are concerned, every three years' service in any judicial office in this colony, other than the office of a judge of the Supreme Court, shall be equivalent to one year's service as such judge of the Supreme Court.' A Bill to confer a Constitution on the colony, which assuredly ought not to contain any provision to subserve a subordinate or collateral or an accidental object, is disfigured to favour the situation of one man, contrary to the studied text as it originally stood, and the blot remains embedded in the Constitution for all time. By the 18th clause provision was made for the Responsible Ministry of the future, but the offices designated as capable of being held by members of

Parliament were copied from the offices held by the retiring officials sent out from Downing Street. They are fixed by the Constitution as under :

The Colonial Secretary	The Attorney-General
„ „ Treasurer	„ Solicitor-General
„ Auditor-General	

Thus the new Ministry would be two-fifths Law, two-fifths Finance and Accounts, and one-fifth for the Lands, Public Works, Military, Police, and general administration of affairs. In point of fact, the first administration was formed by holders of the above offices, the position of Auditor-General being given to a gentleman who was remarkable for his ignorance of accounts. It clearly is not unjust to say that Mr. Wentworth can never have thought of the ministerial arrangement by which his scheme of government was to be carried out. Not only were these anomalies found in the Constitution, but the first Premier appointed his Treasurer to the nominee Council—in other words, put his Chancellor of the Exchequer in his House of Lords.

A gentleman of great influence waited upon me to suggest that I should join in the formation of the first Ministry. He presented a list of the proposed names, which included mine, and exclaimed, ‘Such a Ministry would last twenty years!’ I was taken by surprise, but I think I must have smiled. The idea of the party he represented was to combine both sides of the new House; but, inexperienced as I then was, I felt that any such attempt would not succeed. It is due to myself to say that at that time I had no desire or thought about office, which derives proof, if proof were necessary, from the fact that I did not take office until ten years afterwards, though it was offered to me more than once. The Ministry which was actually formed lasted only eighty days. This was the beginning of our Parliamentary history, but the colony

has no cause to be ashamed of the Parliamentary record since.

In the last session of the old Council, on October 16, 1855, the late Sir James Martin (then Mr. Martin) moved for a Select Committee to enquire into the powers and duties of the chief officers of the Executive Government, with a view to ascertain if any and what alterations will be necessary to carry out the principle of responsible administration contemplated by the Constitution Act of 1853, and to report thereon to the House. The Committee appointed by ballot consisted of Mr. Cowper, Mr. Donaldson, the Attorney-General, Mr. Parker, Mr. Parkes, Mr. Nichols, Mr. G. Macleay, Mr. Holroyd, and Mr. Darvall.

The Chairman submitted a draft report of great length and ability, which, however, was not adopted by the committee. Mr. Martin's draft opened thus:—

There is no clause in the Constitution Act which directs that any change shall take place in the tenure by which those who may hereafter constitute the Executive Government of the colony are to hold their appointments. The Report of the committee from which that Act emanated, the debates which took place during its progress through the House, and the recent Despatch of Lord John Russell, commenting on its various provisions, show, however, that it is clearly contemplated, by all parties, both here and in England, that, on the coming of that Act into operation, the Advisers or Ministers of the Crown in this colony are to be subject to what, under the British Constitution, is designated Ministerial Responsibility. Besides, the Constitution Act itself, although it nowhere directly alludes to such responsibility (as, perhaps, it could not regularly do), in several places so evidently implies its introduction, that it must be taken for granted that, hereafter, our Government is to be, in the fullest sense of the term, Responsible to the Legislature.

This document proceeded to discuss the question whether the officials, whom it was proposed to pension off, could accept office under the new Constitution,

taking up several other matters of cognate interest, and then it boldly proposed a new distribution of ministerial authority. The paragraphs proposing the new arrangements are as valuable now as they were then, though they have received but little attention, and I cannot deny myself the satisfaction of including them in this chapter :—

Your committee are of opinion that the number of Responsible Ministers, exclusive of those connected with the law, ought not to be less than four. Should that number be determined upon, your committee would then recommend that their designation should be as follows :—

1. The Chief Secretary and Premier.
2. The Secretary for Finance.
3. The Secretary for the Interior.
4. The Secretary for Public Works.

To each of these Ministers your committee would recommend that the supervision and direction of several of the existing departments should be confided. The Premier might, with great propriety, have placed under his immediate control the Waste Lands of the Crown, and the Trade and Commerce, as well as the Revenue and Expenditure of the Country, which would include the management of Public Loans. For this purpose it would be necessary to place under his direction the offices of the Colonial Secretary, the Colonial Treasurer, and the Surveyor-General, including that hitherto under the Chief Commissioner of Crown Lands. Your committee have placed the Waste Lands of the Crown in the foreground, because they are of opinion that, beyond all other questions, it will make the largest demands upon the ability and prudence of our statesmen, and that, upon the right adjustment of this question, the prosperity, moral and material, of the colony will in a very great degree depend.

The Secretary for Finance, like the Chancellor of the Exchequer in England, might look after the ways and means, which would include the general taxation of the country. He ought also to have under his control the regulation of the currency, so far as it may from time to time be considered desirable for Government to interfere with it. This would involve the handing over to him the departments of the Auditor-

General, the Customs, and the Mint, as well as the public Bank of Issue, should such an institution (as is very probable) be called into existence.

The Secretary for the Interior, whose office would be similar to that of Her Majesty's principal Secretary of State for Home Affairs, ought to have the direction of Police and Gaols, of the Post Office, and of the Administration of Justice, as well as the supervision of Educational and Municipal Institutions. He would then have under him, either for the purpose of control or inspection, the department of the Inspector-General of Police, the Sheriff, and all those officers and corporate bodies who might be connected in any way with the matters for the due management or regulation of which he would be responsible to the public.

The Secretary for Public Works would take the roads, railways, public buildings, docks, harbours, and fortifications under his care, and there should be subjected to his orders all departments engaged upon, or connected with, any of these matters.

Your committee think that the advantages of some such scheme as the foregoing are sufficiently obvious to render much argument in support of it unnecessary. By that plan of administration a fair division of ministerial labour would be made; and no one who considers the nature of the duties which the Ministers would be thus called upon to discharge can deny that each of them would have amply sufficient to occupy his entire attention. By dividing the labour and responsibility of office in this way, public questions would receive an amount of attention which, under the present centralised system, is utterly impossible. The Governor would then occupy a position as nearly analogous as possible to that of the Sovereign whom he represents, and, instead of being called upon to decide all matters for himself, he would enjoy the great advantage of acting only in accordance with the views of his responsible advisers. Those multifarious duties which he now of necessity most imperfectly discharges would then devolve upon persons enjoying the fullest opportunity of carefully considering every question submitted to them, and nothing but want of ability would prevent our future Ministers from rising above the rank of mere officials into that of statesmen.

Mr. Martin, to secure independence and efficiency

in his scheme of administration, proposed that the Ministers should receive equal salaries, of not less than 2,500*l.* a year, with retiring pensions. The date of these proposals is thirty-seven years ago, but no Minister since, to my knowledge, has ever sought to increase his moderate salary of 1,500*l.*, though several have held office at great loss in their private incomes. I have now arrived at that epoch in Australian history since which all the colonies, except Western Australia, have been steadily learning the difficult but soul-elevating lesson to manage their own affairs. Many of the actors, like myself, were ill-trained for this noble task; but we look abroad, and fail to see any country where more genuine good work has been done in the generation which has passed over free Australia. Some who anxiously watched her cradle are still permitted to guard the temple where Australian liberty is for ever enthroned.

CHAPTER III

WORK IN THE LEGISLATIVE COUNCIL BEFORE THE INTRODUCTION OF RESPONSIBLE GOVERNMENT

As explained in the last chapter, I was elected to the Legislative Council in May 1854, just two years before the first election to the new Parliament. I had at this time been engaged for over four years as the conductor of 'The Empire' daily newspaper, and by the course taken by that journal, and by my speeches in public, I had made myself the object of much vituperation in some quarters, and of unfriendly, not to say hostile, criticism in others. One well-known gentleman of the old school used to think he had withered me up by denouncing me as a 'double-tongued slanderer.' But, on the whole, I received a very cordial greeting when I took my seat. Indeed, many of the leading men of the old party—among others I remember well Mr. Plunkett, the Attorney-

General—had come to the polling booth and openly voted for me. Nearly all are now gone to their great account. Sir Charles Nicholson, Bart. (then Speaker), Sir Daniel Cooper, Bart. (Speaker of the first Assembly), Sir William M. Manning, and Mr. Augustus Morris still live (January 1890), but I cannot recollect another name.

I set about my new duties with a vigour and zeal which, I am afraid, were not always guided by a sound judgment. One of my first motions was in favour of a more liberal system of immigration. Though identified, if ever man was, with the working class, I was at the outset of my career, and have ever remained, the advocate of the introduction of new population from without as essential to the progress of a new country. My broad contention has ever been that the more men of the right class you have in a land ‘where life has ample room,’ the better it must be for every man of every class; that where all is a wilderness before us, nothing is so valuable as human labour. Years afterwards, in my place in Parliament as Prime Minister, when speaking in support of a vote for immigration, I used this language:—

I want men and women—free men and women—of our own stock to assist us in laying the broad foundations of an Empire; and when the question is narrowed down to this inconceivable contention between labour and capital, I would like to ask this one pregnant question: Are not all, or nearly all, the employers of labour in this country men who have sprung from the ranks of labour? If we could trace the immigrants who have arrived here by the assistance of the State, we should find that they are the very men who, by their perseverance, by their provident habits, by their enterprise and their insight into industrial affairs, have become the great employers in this country. They do not come here to remain serfs, but to fight the battle of free men where there is ample room for their exertions. I do not feel surprised at the indignation of some of the first men in the mother-country at the illiberal views of colonists in trying

to resist the influx of their brothers and sisters from the old country. It is incomprehensible to men of enlightened minds in England that such mean and detestable feelings can exist as would prevent others from coming to our shores to share in the benefits of these new lands, which are just as much a portion of the Empire as any other.

But my motion was defeated by a large majority; not that the Council was opposed to immigration, but that it was opposed to the principles which I attempted to enforce.

I was placed on nearly all the more important committees; among others, to enquire into the construction of the Metropolitan sewers, in respect to which much abuse and wrongdoing were alleged to have taken place, and the enquiry into which proved to be a most laborious investigation; to consider and report upon the question of education; to consider the expediency of forming Volunteer corps; to enquire into the evils of intemperance; and to investigate and report upon other matters of pressing public interest. If regularity of attendance and zeal were merits, I was a most meritorious committeeman. I was always in my place, and I took my full share in the examination of witnesses. But I soon was engaged in several enquiries originated by myself.

In 1854 I moved for the appointment of a Select Committee to consider the expediency of establishing a Nautical School in the port of Sydney, which after some debate was carried. The committee sat and took a considerable amount of evidence, and in due time I, as chairman, brought up the report, which was in favour of the proposal. The report was adopted by the Council and sent by address, according to the usage of the time, to the Governor-General. His Excellency informed the Council by message in reply:—

With reference to the address of the Council of the 5th

instant, the Governor-General fully concurs in the opinion expressed as to the advantages which might result from the establishment of a Nautical School. Such a school, if properly conducted, would be productive of many benefits, not merely to the mercantile and shipping interests, but to society at large. It would, however, be more likely to succeed were it to form part of some general educational system, and were it not impressed with the character of a charitable institution—a character which would have the effect of closing it against the children of respectable parents.

The report, which is now before the Council relative to the working of the Asylum for Destitute Children, would not lead to the inference that an eleemosynary establishment of the kind would be likely to produce very satisfactory results.

In deference, however, to the expressed wish of the Council, the Governor-General will give directions for the insertion, upon the Estimates for 1856, of a sum of 2,000*l.*, for the purchase and fitting up of a hulk, and of a further sum of 1,000*l.* for the current expenses of the Nautical School, on condition that an equal amount will be contributed from private sources.

I give the message in full because it supplies a fair example of the way in which the Legislature was treated in those days by the Governor, who was, in fact, the real executive of the country. It was difficult to see how the working of the Asylum for Destitute Children could affect the argument in favour of the Nautical School; but the Governor said it did, and there was no more to be done for the time. Years rolled away, the old Council died, the new Parliament took its place; and still there was nothing heard of the Nautical School. Twelve years after the date of my report, I, as Colonial Secretary (then for the first time), bought the ship *Vernon*, on which the Nautical School was established, which is now admitted to be one of the most useful institutions in the colony. For nearly a quarter of a century the *Vernon* has been moored in sight of Sydney; hundreds of poor deserted boys have been gathered from the streets, carefully instructed, and trained to habits of industry and manly conduct on her

decks, so that the name of a 'Vernon boy' is now received by good and kindly people everywhere with something like affectionate interest. During this period 2,090 boys have passed through the ship into various avenues of employment, and only 8 per cent. of the number have been reported as refractory or backsliding.

I obtained the appointment of another committee to enquire into the importation of Asiatic labourers. For some years past persons largely engaged in squatting pursuits had been casting about to discover an abundant supply of cheap labour. More especially in the far northern districts (now Queensland), South Sea Islanders had been tried; Indian coolies had been tried; other classes of Asiatics had been tried; and many disquieting reports prevailed of ill-usage and cruelty in the carrying on of this traffic. After taking evidence, the committee reported as their general conclusion that there was no necessity for any immediate legislation on the subject. Where this kind of labour had been tried on anything like a large scale, it had, from one cause or other, been found unsatisfactory, if not a total failure.

Another committee was appointed, on my motion, to enquire into the adulteration of food. It held six meetings and examined six witnesses. At this time a committee of the House of Commons was sitting on the same subject, and the report which I as chairman was authorised to bring up concluded thus :—

From the evidence of Mr. Stubbs, it is obvious that the trade in unwholesome articles of food has been subject to no adequate check in the present state of our laws; but, in the opinion of your committee, as already expressed, the whole question is surrounded by such complicated and peculiar difficulties, that it cannot be safely touched by the Legislature until a complete enquiry has been carried out.

The Select Committee of the House of Commons, now sitting on the same subject, will, your committee respectfully submit, supply information of great value for the guidance of any

future similar enquiry that may be conducted in this colony, as the evidence of the eminent scientific persons examined by that committee, and which is based on actual experiments, will apply to many articles of consumption in this colony with equal justice as to the same class of articles in England.

On July 3, 1855, I moved for the 'appointment of a Select Committee to enquire into the state of agriculture, with special reference to the raising of wheaten grain, and to the causes of hindrance or failure in that pursuit, whether arising from the habits of the people, the policy of the Government, or the physical character of the country.' To understand the interest that fairly attached to my motion, we must review, or rather glance at, the state of the colony. The colony still included the whole of Queensland, and embraced an area of 978,315 square miles. Men of leading positions, with seats in the Legislature, described it, for the most part, as incapable of tillage, and only fit for grazing sheep and cattle, and for 'nomadic tribes.' A population not numbering more than 277,579 souls imported largely its breadstuffs from South America and other foreign countries. It is now well known that in all divisions of the colony—north, south, or west—there are as rich wheat lands as in any part of the world; but then the mass of the population were densely ignorant of the true character of the country, and those who knew better were in too many instances personally interested in keeping them ignorant. The stories that were told of the fruitless endeavours of industrious men to obtain patches of land for a freehold home under the Orders in Council seem, to the present generation, like cruel bits of romance. A steady man in service might have saved sufficient money to start himself as a small farmer; he might apply for 40 to 100 acres to be put up for auction sale; months would elapse before his application would be granted; when the day of sale arrived his wealthy neighbour would attend by his

agent, and buy the land over the poor man's head for the mere vicious purpose of hindering him from making his home and to protect his own sheep-run from intrusion. While suffering these delays and disappointments, the intending farmer's little money would melt away, and often, if of an irritable temperament, he would give way to drink and become a ruined man.

In moving my resolution I made a short speech, from which I copy the following passages :—

It must be admitted that whatever might be the circumstances of happiness in which we were placed individually, these circumstances would lose all their importance to us if it were not for the ministrations of the crowds round about us. However fertile and however beautiful the country might be, if it were barren of human life and activity, beauty itself would become only another name for desolation, and the very light of heaven would be fearful to our eyes. This extensive city, so cheerful in the sunshine to-day with its streets of palaces, its thousands of secure homes, its spacious marts and banks, would to-morrow, if population floated away from it, present the awful aspect of the tomb. Seeing, then, that our importance as individuals was in every respect just in proportion to the progress of the population as a whole, the Legislature and Government should pay every attention to supplying the people with that great staple of food, the extreme scarcity of which would be more severely felt in its consequences than the sword of an enemy. At a time when flour was being sold at from 55*l.* to 60*l.* per ton, when it was believed that there was a very inadequate supply of this article of food in the country, it seemed more than ever necessary that attention should be paid to the subject.

After alluding to the statements that the country was unfitted for agriculture, I said :—

If it were the case that the country was unsuited to the prosecution of those agricultural pursuits which in all really prosperous countries were of such magnitude and importance; and that grain could not, under any possible circumstances, be produced in quantity adequate to the wants of the population, it would be best that whatever information could be collected

should be brought together and published in a shape accessible to those persons whose energies were likely to be turned in that direction. Individual instances might be given of the failure of persons who had settled on the lands of the country for agricultural purposes, but such cases of failure might be accounted for by the spirit of neglect and suppression which had been manifested towards this interest in the public policy of the country.

The committee was granted, and the enquiry was rendered more than usually interesting by the evidence of one witness who was afterwards elected to the first free Parliament, and who became the popular land reformer of 1861. Mr. Robertson (now Sir John Robertson, K.C.M.G.) was well known as a vigorous writer in the newspapers, and a gentleman who held what were called 'strong Radical opinions'; he had for years resided in the country, and seldom came to Sydney. His knowledge of the operation of the Orders in Council, the abuses of the squatting system, and the hardships imposed upon the class of small settlers, and of the character of the soil in different districts, was that of a singularly quick, observant mind, and it was derived from an extensive practical experience. In the light of his great moulding influence on the land question in later years, and his high public standing at the present time, Sir John Robertson's evidence, given more than a generation ago, possesses a curious and instructive interest for the student of land legislation. It is given here without abridgment:—

JOHN ROBERTSON, ESQ., called in and examined:—

1. *By the Chairman*: You were invited to attend this committee some time since?—I was.

2. You sent a letter, at that time, not expecting to be able to attend in Sydney?—I did.

3. Is this the letter sent by you (*handing the same to the witness*)?—It is. (*Vide Appendix.*)

4. Have you been long in the colony?—Thirty-four years.

5. Have you been engaged in agricultural operations any great portion of that time?—I have, for twenty-two years—four

years as the superintendent of my father, and eighteen years on my own account.

6. In what part?—On the Upper Hunter.

7. The whole of that time?—I have cultivated lands within thirty or forty miles the whole of that time.

8. At the present time, to what extent are you engaged in agricultural operations?—I have under crop about 250 acres.

9. Is that freehold?—It is.

10. Do you think a great proportion of the land in that district is fitted for agriculture?—There is a very great amount of land in the Upper Hunter fitted for agriculture.

11. Are you acquainted with any other district of the country?—I am acquainted with the whole of the Hunter, and there are large quantities of available land upon the Hunter, and also in New England, and on the Namoi.

12. From your experience of the character of the country generally, should you think as large a proportion of the country is suitable for agricultural pursuits as is necessary for the progress of population, according to any reasonable calculation?—There is sufficient for millions: there is not one acre in cultivation for every ten thousand that is fit for cultivation.

13. From your twenty-two years' experience, you would reject the idea that the country is unsuited to agriculture?—Entirely.

14. *By Mr. Cowper*: Even the upper part of the Hunter?—Even the upper part of the Hunter: my own experience bears me out there.

15. About Merton?—Perhaps that is the worst part; but, if you go higher, it is better: yet even about Merton and Jerry's Plains, and I apprehend that no part of the whole country bears a worse character than Jerry's Plains, I farmed during ten or eleven years, and never missed but one crop.

16. Was the country low or high?—I cultivated the alluvial flats.

17. *By the Attorney-General*: In what year did your crop fail?—My crops failed two years; one at Jerry's Plains and one at Scone. At Jerry's Plains the failure was twelve or thirteen years ago.

18. Was it in a season of drought?—Yes.

19. *By the Chairman*: You are also engaged in pastoral pursuits to some extent?—Yes.

20. Are you pretty well acquainted with the squatting system?—I have been acquainted with it ever since its first operation. I was one of the first that crossed the Liverpool Range.

21. Do you think there is much land occupied under pastoral leases that would be highly suitable for agriculture?—All the alluvial land in New England, under pastoral leases, is fit for agriculture, and a great portion of the land upon the Namoi, and the rivers in the district of Liverpool Plains.

22. *By the Inspector-General of Police*: Do you speak as regards climate as well as soil?—Yes. I believe the climate causes many difficulties, but it is not a drop in the bucket as compared with the difficulties which have arisen from the policy of the Government, which policy I have alluded to in the paper before the Committee.

23. *By the Chairman*: I should gather, then, that you have, for some years, paid particular attention to this?—I have, during many years, paid much attention to both agriculture and pasture.

24. Do you think the present squatting system imposes serious difficulties to the settlement of the country, having regard more particularly to small farmers?—I do. I have pointed out in the paper I have submitted, somewhat elaborately, the curious ways in which the squatting system has, in my opinion, checked agriculture.

25. *By the Attorney-General*: What remedy would you apply under the existing state of the law?—The remedy I would apply, in the existing state of the law, which I apprehend, by the way, is not a Minerva, is this:—I would submit large quantities of land for sale, in order that persons who wish to take up lands throughout the country could go at once to the Crown Lands Offices and obtain them, without the delay of applying for them to be submitted to auction, besides the risk of their being then purchased by a neighbouring proprietor.

26. Are you aware that the principal delay now arises from the survey; they cannot be disposed of by auction, or by any other species of contract, until they have been measured?—I would remedy that in a most simple way, as it is done in America: the intending purchaser should sit down on the land, and pay for it when the quantity is ascertained. I would, however, insist upon his carrying out the provisions I have suggested

on the subject, at the conclusion of the paper I have submitted to the committee.

27. Is that the American system?—It is part of the American system. In America, a squatter is very different from one who bears that name here; he, as the word implies, sits down on the land, and is allowed to hold not more than two hundred acres, and this he pays for at the minimum price when it is measured.

28. In those cases, is not the survey in advance, so that a person squatting upon land in America, previously knows the quantity contained in that particular piece?—Assuredly not, for in America he may hold the land for years before payment. The title 'squatter' is given from the fact of parties going on the ground, in advance of society, and sitting down in the meantime, until civilisation overtakes him, and the quantity of his land is ascertained by measurement. In the event of it not being possible, from legal difficulties, to adopt this plan here, I would suggest that, when a surveyor is called upon to measure off thirty or forty acres on any circle, for a particular applicant, he should be instructed to survey all the available land in the neighbourhood. The time of the surveyor would thus be saved, and there would be ample lands to submit to auction. I would, then, have the whole of these lands submitted at the same sale; and I assume that more might be offered than would be purchased, and this should afterwards be open to selection at the upset price.

29. *By the Inspector-General of Police:* That would amount to an evasion of the law, by allowing the lands to be taken at the minimum price?—You asked me how I would do in the present state of the law.

30. Would not that throw more lands into the hands of the surveyors to be measured in places where there was not a demand, and prevent the survey of land in other places where it was applied for?—I am much acquainted with surveyors, and I know they are now put to much expense, inconvenience, and in many cases to absolute loss, from being required to go, as at present, twenty or thirty miles in one direction to survey a small farm of twenty acres, and then, as many miles in an opposite direction, to measure a small piece of land on some creek.

31. But, if the plan suggested by you were adopted, these applicants would have to wait until a large tract of country

was measured before they could be attended to?—I think time would be saved in the end ; because, if a surveyor have not to move about to any distance, he can, in a few days, measure a quantity of land, which otherwise would occupy him for weeks. I have been with a surveyor measuring land, and I am aware that that can be done.

32. *By the Attorney-General* : You allude to licensed surveyors?—Yes.

33. *By the Chairman* : Is it within your knowledge that many persons are applicants, in different parts of the country, for small portions of land, who cannot get them?—Yes, many cannot get them. I have pointed out in this paper the difficulties that are in the way of many small purchasers getting them. I could get them, and anyone, who has, or requires, a large quantity, can get them.

34. Have you, in this paper, stated fully the difficulties and remedies of the system?—Yes, I have stated fully my view of the difficulties ; but the question asked by the Attorney-General had not occurred to me.

35. Are you aware that there is a general impression, that persons will not accept offers of settling upon land as tenants? It is within my knowledge that a member of this House, who has property at Tenterfield, offered to let small portions of his land, twenty, thirty, or forty acres, and to furnish the tenant with rations for a year, and seed grain ; that he posted up a notice to this effect upon his barn door, and yet he could get no applicants ; and this feeling of reluctance, on the part of persons who might be supposed to be anxious to enter upon agricultural pursuits, is alleged as an answer to those who object to the present system. There is another case which has been mentioned. In the year 1843, when so many persons were out of employment in Sydney, a deputation waited upon Sir George Gipps, to request that they might be employed on public works and buildings, and it was generally admitted that there was much distress. At that time a gentleman advertised farms, upon similar terms to those I have mentioned, and could get no applicants.—Yes, and I could give another instance. I have a large quantity of agricultural land myself, and would be very willing to let it ; but I have not been quite so unfortunate as the gentleman you have referred to, as I have been able to get several tenants. But they generally object, for two very obvious reasons. Very naturally, coming to a new country, they calcu-

lated that they should have a piece of land of their own to sit down upon—and they live in hope yet to do so. Another reason is, that they cannot sit down upon lands held by any landed proprietor without making improvements thereon—improvements which they will feel to be the reason of the offer made by the proprietor; but, when a man, with ordinary caution and forethought, sees a fine flat covered with apple and gum trees, and is told, ‘You may go and take that for seven years; you shall have it for four years for nothing, and the remainder of the term for a low rent,’ I take it that the man may say, very naturally, ‘By the time I clear this it will be yours, and the cost of my labour upon it will be greater than its original value.’ This is a very different case from that of the farmer in England, where the owner of the property puts it into a workable condition. Here a man may spend his whole life in making improvements upon the property of others.

36. *By the Inspector-General of Police*: Might he not calculate that the rent which he would save would pay for the improvements?—If a man sees that there are lands adjoining those he cultivates, the freehold of which is only worth from 1*l.* to 2*l.* an acre, he will feel that he is paying an exorbitant rent when it will cost him 4*l.* an acre for clearing, besides the expense of erecting a house; that, in fact, although nominally paying a low rent, he is really paying, annually, more than the entire value.

37. Thinly timbered land would not surely cost so much as 4*l.* an acre for clearing?—It costs 4*l.* an acre to clear an apple-tree flat, which is the best for agriculture; and then it requires fencing, which cannot be done under 5*s.* a rod.

38. *By the Chairman*: Do you not think that the reluctance, in the mind of the working-classes, to enter upon agricultural pursuits, arises from the fact that agriculture has not a fair chance in comparison with the other industrial pursuits of the Colony?—I have shown in this paper ample reasons why men should be reluctant to enter upon agricultural pursuits, in view of so many advantages in other occupations.

39. Have you paid much attention to the course of legislation and the policy of the Government of the country?—Yes, I have watched the Government very closely during the last eighteen years, and the career also of a few gentlemen in the Council: I can almost give their votes upon most important public questions.

40. Has it appeared to you that there has been any unfair leaning towards pastoral pursuits, to the exclusion of the claims of other branches of industry?—Yes. I am thoroughly convinced, from whatever motive or object, that there has been a tendency in the whole course of the legislation of this country—certainly since we have had a slight approach to representative institutions, since 1843—on the one hand, to depress the agriculturist, and to raise, at his expense, the pastoral interest. I have entered into this matter fully in this paper.

41. You say you are engaged in squatting as well as in agriculture—are you as largely interested in pastoral pursuits as in agricultural?—I have infinitely more capital invested in pastoral pursuits than in agricultural, in my own hands: but my income from the two sources is about equal. I have, however, several agricultural farms under lease to tenants, which about equalises my property in each pursuit.

42. Do you think if Government exercised forethought, and displayed public spirit as to the survey of particular districts which are sought for for agriculture, and go to the expense of opening them by means of improved communication, by constructing roads, or if on a river, by removing impediments to its navigation, so as to make the metropolitan and other markets of easy access, the increased value of those lands would pay the expense of the necessary improvements?—I think it would, especially if coincident with this the laws were made equal, and the facilities afforded to the pastoral interest were also afforded to agricultural.

43. What facilities do you refer to?—I refer to the amended Impounding Act, which gives the grazier an unfair advantage over the agriculturist; I refer to the Lien on Wool Act, which gives the grazier facilities to raise money upon his produce which the agriculturist has not; to the Mortgage on Cattle Act; to a system by which the grazier can, without any time, trouble, or difficulty whatever, and at a mere nominal rent for 640 acres, occupy the Crown lands for pastoral purposes, while the agriculturist is subjected to innumerable difficulties, some of which I have set out in this paper, and is also compelled to buy the land, perhaps at 10*l.* an acre, as it was in our district the other day.

44. Is there any other information you have to give the committee not included in this paper?—Referring to the 21st

question of the committee, I may add that I have grown wheat on the Namoi, in the pastoral district of Liverpool Plains; at 'Burrill'; and have seen it grown successfully, during several years, at 'Baa Au Baa,' the station of the late Sir John Jamison, also on that river. To questions 24 and 43:—that there is a regulation by which holders of land to the extent of 640 acres and upwards, in the settled districts, may, without competition, lease until it is required for sale, three times the quantity of adjoining Crown land, at 10s. per annum for 640 acres; while no such advantage is extended to freeholders of smaller parcels of land than 640 in one block.

Appendix to the Foregoing Evidence.

ON entering upon the subject under enquiry by the committee, it is my purpose to assume that the state of agriculture in general, and of wheat culture in particular, in the colony is exceedingly unsatisfactory, and, if not absolutely declining instead of progressing, is at least so with reference to population. Because, on the one hand, I conceive that an elaborate exposition of facts, proving such to be the case, would be considered a work of supererogation; and, on the other hand, that should proof be required, it is to be found in the public statistics of the colony on the subject, and certainly can be obtained with greater accuracy and facility in the city than in a country district.

In considering the other branches of the matter, while promising not to be unnecessarily discursive, I hope I may be excused if I should require to travel out of the circle which the resolution of the Council, under which the Committee sits, may seem strictly to imply.

The causes of hindrance or failure of agriculture generally, and of the raising of wheat in particular, I take to be first and greatest, that for many years the policy of the Government of the colony, whatever may have been its object, has unquestionably tended not only to check the formation of new agricultural establishments but to depress existing ones.

While the agriculturist has been absolutely excluded from leasing any portion of the public land, and thwarted, harassed, and dispirited at every turn in his efforts to obtain the submittal of such lands to sale, and subjected to public competition at auction before suffered even then to purchase, the grazier has

been allowed to use them under a system of leases, affording him the greatest possible facility of possession, and at the lowest imaginable rental, namely, at the rate of 10s. per annum for 640 acres, with the right, in an overwhelming majority of cases, to purchase choice spots therefrom, without the slightest delay or trouble, and at the lowest legal price, namely, 20s. per acre, and absolutely without competition.

Some of the difficulties above alluded to as attending the purchase of a farm from the Crown, by any other than the favoured pastoral class, may be stated thus:—The person seeking to do so must first make his selection—a matter not very easy of attainment, for persons holding land in a neighbourhood, instead of helping with information, almost invariably place every possible obstacle in the way of the new comer. The selection made, the next step to be taken is to apply by letter to the Surveyor-General to have it measured. Shortly thereafter that officer will reply and inform the writer that his application has been received and submitted to the District Surveyor for his report as to whether the land is fit for agriculture, &c., &c.,¹ and that when it is received the Surveyor-General will communicate the result, intimating at the same time that, should the District Surveyor consider the land suitable for agriculture, and should there be no other difficulty, such as its being held under a squatting lease, or any of several others, it will be submitted to sale by auction. The applicant may now expect to hear no more of the land for three or four months, when, if all goes on favourably, he will be informed that the District Surveyor, having reported satisfactorily, has received from the Surveyor-General instructions to measure it. Now another wearying delay of several months' duration will in all probability occur, before the expiration of which, if the applicant is not a person possessed of considerable determination of character, he will abandon, in despair, all hope of ever becoming an Australian farmer, and help to swell one or other of our overgrown towns, by accepting employment there. If, however, he possess sufficient perseverance, he may visit the District Surveyor, and probably learn from him that the land cannot then be measured because the district under that officer is so very large that it would be highly inconvenient for him to move from one portion of it to another to measure a single

¹ The grazier is subjected to no such delays; the Government leaves him to be the best judge whether the land is suitable for him or not.

farm; that when several are applied for in the same vicinity, he will proceed there; in the meantime he has several months' work where he is; or the District Surveyor may, after expressing sympathy for the applicant's loss from delay, candidly assure him that, in consequence of the great delay in receiving pay for his public work, he is absolutely necessitated to accept private employment in order to obtain sufficient cash to keep himself and party of four men on until the Government make him his remittance, now three or four months due.

These and other preliminary difficulties the applicant must prepare to encounter; but, even when all are surmounted and the land measured, there will be two or three months' delay—in all probability eighteen months or two years from the date of the first application—before it is offered for sale. Then, at last, the applicant will obtain his land if he is fortunate enough to escape the determined opposition of some wealthy person in the neighbourhood, or has money enough and determination enough to purchase it, that opposition notwithstanding.

Calculated, on the one hand, to depress the agriculturist, and on the other to foster the grazier, as the particulars which I have mentioned connected with the administration of the public lands must be admitted to be, they are by no means the only disabilities which the former is by our laws placed under when compared with the latter.

That such a law as that at present in force for the regulation of the impounding of cattle could possibly be carried through the Legislative Council and assented to by the Governor of the colony, I take to be proof positive that the interests, and not only the interests but the absolute rights of the agricultural class, have been, by the policy of our Government, completely ignored.

I allude particularly to the amended Impounding Act which was passed for the purpose of providing an additional charge besides that for trespass, by making legal one for *driving cattle* that may have trespassed upon land held from the Crown under a pastoral lease—land which it would be illegal, under another law, to raise agricultural produce upon. Under that Act as much as 5s. and even 7s. 6d. per head *for driving cattle* to the pound, is frequently exacted throughout the colony by holders of pastoral leases.

No such provision is extended to the occupier of freehold land—the land upon which the country depends for agricul-

tural produce. It matters not that he may have paid 10*l.*, 20*l.*, or even 30*l.* per acre to the Crown for the land he farms, or even a much higher price to a private individual, or that he is paying an exorbitant rent for it, he can make no corresponding charge upon the cattle of his Crown leaseholding neighbour, should they trespass upon his farm; and this entirely irrespective of the distance the different classes of land may be from the pound. It may be that the freehold land is situated many miles farther from the pound than the land held under pastoral lease—still the rule applies.

The holder of a Crown pastoral lease may charge 5*s.*, 7*s.*, or more per head for driving the trespassing cattle of the freeholder to the pound, but the freeholder can make no such charge, under any circumstances, for driving the trespassing cattle of the Crown pastoral leaseholder to the pound.

I do not think it necessary to allude to more than one other proof that the acts of our Legislature and the policy of our Government have tended to depress agriculture. Laws have been enacted to facilitate the grazier through a simple and inexpensive instrument to obtain loans in anticipation of his coming produce, while no such aid has been extended to the agriculturist.

Like that of most other countries, the enterprise of the colony is mainly carried out with borrowed means by active and intelligent men of inconsiderable capital, and the effect of the 'Lien on Wool Act' and the 'Mortgage on Cattle Act' has been to allure such men into pastoral rather than into agricultural pursuits.

That such has been the case must be obvious, when it is considered that the main difficulty to his success, which first strikes the mind of a farmer on entering upon agricultural pursuits in this colony, is not, how shall I get my land cultivated, and my crops in the ground?—for this may be done extensively, at comparatively inconsiderable expense—but how shall I find means to carry me through the reaping, housing, threshing, and conveying of them to market?

He dare not invest all, or nearly all, his capital in the first operation, but must reserve at least two-thirds of it to enable him to *secure* his crops after they are grown.

The grazier with small capital need fear no such difficulty. He may not only invest all his available capital with safety in a pastoral establishment, but by the aid of the 'Mortgage on

Stock Act' may make a purchase to the extent of double its amount—a course pursued at two-thirds of the stock sales in the colony. He may also, when his shearing is approaching, grant to any party who will lend him money to shear his sheep and bring their produce to market a preferable claim upon his wool to the extent of the money thus borrowed—a course pursued in hundreds of cases annually.

It may, and, doubtless, will be said, as a reason why a measure of the same character as the 'Lien on Wool Act' has not been extended to agricultural produce, that the agricultural pursuits of the country are, in consequence of the frequent occurrence of droughts, less sure of yielding their produce than pastoral pursuits, and that hence the security in the former case would not be so good as that in the latter. Without admitting the correctness of the allegations, I beg to submit that, even assuming such to be the case, it is a consideration which, however proper to be taken into account by the capitalist in calculating the rate of interest he ought to demand from the borrower, to cover his risk, &c., cannot possibly touch the principle raised in the question—Should a farmer, who has a crop of wheat ready to reap, and has not sufficient capital of his own, be allowed to borrow funds for the purpose, and to bring the wheat to market, and grant a *preferable lien* on the same, to secure the repayment of the advance?

If it is a fact that the agricultural interests of the country are subjected to more climatic difficulties than are the pastoral interests, I take it that that circumstance cannot, properly, be brought forward as a reason why the agricultural interest should not, under our laws, have a fair field and no favour, as compared with the pastoral interest, in entering the market to borrow money, in times of doubt and general want of confidence in monetary matters. If the agriculturist, in borrowing money to secure his crop, has to encounter a higher rate of interest than the grazier has to encounter, in consequence of the risk of damage to his crops, from an unfavourable season, being greater than the same in the case of the produce of the grazier, surely that is no reason why he should be compelled to submit to a still greater increase of interest, to compensate the capitalist for the additional risk of the borrower's insolvency before the crops are realised, especially when the grazier is, through the aid of the 'Lien on Wool Act,' exempted from paying for such risk.

An advocate of protection would find, in the increased difficulties which our climate is supposed to place in the way of the agriculturist, a reason why he should have peculiar privileges extended to him ; but I have no wish to ask for the cultivator of the soil anything more than 'a fair field and no favour.'

It may not be out of place here to point out that, previous to the passing of the 'Lien on Wool Act,' the pastoral interest was all but defunct, certainly in a more advanced state of decadence than the agricultural interest is at the present time, and that it is admitted, on every hand, that the 'Lien on Wool Act' saved that interest. I confess that I have never been able to appreciate the strong objection which some persons have to the principle of that Act. It appears to me that if loans ought to be accepted at all, the least objectionable system that they can be transacted under is that which provides material pledges for their repayment.

As to the policy of facilitating loans of the class contemplated, I take it that, let the produce to be saved thereby be of what kind soever, it is an unmitigated benefit to the borrower, to the lender, and to the country, that means should be furnished to secure it. The *registry* of the pledge is a complete guarantee against a dishonest and plausible man imposing upon several credulous persons by promising each his crop, and taking advances from all on the faith thereof. Besides, in practice, during the ten or eleven years that the 'Lien on Wool Act' has been in force, it has much tended to develop the resources of the country, and has, at the same time, proved a preventive to the perpetration of the frauds I have described.

Showing the advantage such a measure would be to the farmer with small means, I will mention a case, among many that have lately come under my observation. A tenant farmer in this district, in order to raise money to pay for gathering and bringing his wheat to market, actually submitted to a loss of 50 per cent. for the accommodation of a cash advance, and that at a time when, if he could have granted a preferable lien to secure the same, he would readily have obtained the money at 8 or 10 per cent.

The absence of a law of the kind, and the necessity of quick returns, have, in many instances, prompted the cultivation of lucerne hay, which yields five or six cuts in a year, instead of wheat, which can only be made available at one season.

The precedent relied upon by the proposer of the 'Lien on

Wool Act' was a West Indian Act, to enable planters to borrow money to aid them in bringing forward their crops, and to grant preferable security on the same for its repayment. There can be no question that wheat or maize culture in this country bears greater analogy to sugar-cane culture in the West Indies than wool-growing in this country does to the same. At any rate, the principle of the measure is either good or it is bad; if good, it ought to be extended to every class that requires it; if bad, it should be abolished altogether.

The effects of the policy of the Government, which I have described, may be found, on the one hand, in the fact, that the number of persons who have been bred to agricultural pursuits, at present residing in the towns of the colony, is, beyond example, excessive, showing our social condition, in that regard, to be in a most unsatisfactory state; and, on the other hand, in the other fact, that the wholesale price of flour in the colony is three times higher, per pound, than the wholesale price of animal food, of the very best description—a state of things not to be found in any other civilised country.

I am aware that the deficiency of agriculture, which is so remarkable in this country, is attributed to the aridity of the climate by many gentlemen whose experience entitles their opinions to respect; but, as I have during the eighteen years last past annually cultivated and sown with wheat a large quantity of land, in various parts of the Upper Hunter District—a district generally considered to be unfavourable for the purpose—and have, in that long period, only failed twice in obtaining crops, and have reaped two self-sown, which, in a great measure, compensated for even their loss, I can come to no other conclusion than that, whatever may be the disadvantages of the climate, they are not sufficient to cause such neglect of agriculture as has occurred.

I think that if agriculturists would, where practicable, sow sufficient land with wheat to suffice their requirements, not only for grain but for hay, instead of sowing oats or lucerne for the latter, and would sow equal portions thereof in each year, on the 1st of April, the 1st May, the 1st June, and the 1st of July, or as near to those dates as there may be moisture in the land, instead of sowing all they intend to sow at once, as is usual, they would, by selecting for hay the least promising portion, seldom fail in housing a good average of grain, as well as a crop of hay.

Hot winds—the great enemy of the wheat-grower—are most injurious to a crop at the stage immediately preceding the bursting forth of the ear; therefore, as it is impossible to tell when they will come, it is only prudent to avoid risking on one chance all hope of grain for the year, by providing that all shall not be in that stage at the same time. For example; in 1849, my wheat sown on the 1st of April yielded upwards of forty bushels to the acre, that sown in May and June eighteen bushels, and that in July six bushels. The cause of the great difference was, that when the hot winds and dry weather came, the early wheat was out of danger, the two next lots were in ear, and, therefore, could only lose in quality and quantity by being ‘pinched,’ but the lot sown in July was caught when the ear was bursting from its wrapper, and was, consequently, all but destroyed; however, the average of the whole was a good one.

The season was different in 1851; the wheat sown in April yielded but five or six bushels to the acre, that sown in May and June twelve bushels to the acre, and that in July upwards of forty-two bushels to the acre—in all a fair yield. In that year the hot winds came in September, just as the early wheat was coming in ear, and destroyed it; the middle crops did not suffer so much, and the late crop scarcely suffered at all, and was brought to an abundant issue by the timely rains which fell in November.

It will be observed, that one of the seasons I have mentioned was previous to the gold discovery, and the other before the increase in the consumption of hay, which followed that event, had become perceptible; therefore, at either period it would have been useless to make hay of the inferior portion of the crop. Now, the case is different; the demand for hay is so great, that, in a majority of cases, where wheat crops are thought to be unlikely to pay as grain, they can be profitably converted into hay.

Connected with the climate, another cause of hindrance of agriculture was recently mentioned in Council by Mr. James Macarthur, namely, the difficulty of preventing the ravages of weevil and fly, after the crop is housed. Without making the slightest pretension to scientific knowledge, I will communicate a simple and inexpensive means whereby I have, for many years, preserved my crops from injury from those insects. If, for a few nights before building a stack, precaution is taken to hurdle a flock of sheep on its intended site, or, that being inconvenient,

if a few cartloads of sheep manure are laid there, and sprinkled with urine, there will be no danger of weevil or fly. The ammonia that will be generated in either case will keep both away. I may add, that my friend, Mr. Robert Meston, to whom I communicated my plan for preserving wheat from weevil and fly, made some experiments, in Sydney, by which, I believe, he found that carbonate of ammonia may be used with advantage for the purpose. However, I merely state the fact that sheep manure is an effectual remedy, and leave the duty of further examination to those whose habit of thought is suitable for the enquiry.

On the whole, I am confident that the difficulties placed in the way of agriculture by the climate are as nothing compared with the overwhelming obstacles furnished by the policy of the Legislature and Government of the colony.

In urging upon the committee the expediency, as well as the justice, of extending to the operations of the agriculturist, wherever practicable, equal facilities to those enjoyed by the grazier, I hope my views may not be considered hostile to the pastoral interest. It appears to me that it can never be the real interest of the grazier to depress and drive out the farmer; one interest should support the other, for complete prosperity can never reach either until both are in a satisfactory state; certainly I can have no motive to foster their antagonism, as my property is invested in about equal proportions in each interest, and I have laboured, during many years—if not wisely or well, at least zealously—for the advancement of both interests.

Before concluding this communication, I cannot resist the opportunity it affords to place on record my opinion, that, even should all other means fail of providing the country with an ample supply of agricultural produce, a remedy may be found by allowing any person to enter upon and occupy 80 acres of waste land, without competition or delay, and pay for it, at the upset price, four years thereafter; provided that he clears and cultivates 10 acres the first year, and 10 additional acres in each of the three succeeding years, and is at the end of the time residing on the spot.

JOHN ROBERTSON.

Yarrundi, August 6, 1855.

In 1855 that portion of Australia now constituting the territory of Queensland was, as I have had occasion

to explain, part of New South Wales. The district of Port Curtis, in consequence of its distance from the seat of Government, was honoured by the appointment of a Government Resident—a kind of deputy-governor—and, as nearly always happens in such cases, all kinds of complaints were made against the luckless functionary, though he had through life borne an honourable reputation. I was induced by representations made to me of the petty abuses of authority of this officer to move for a committee ‘to enquire into, and report upon, the establishment and working of the office.’ The committee held eight meetings and examined fourteen witnesses, including the Government Resident himself. I am afraid the result of the enquiry was not worth our labours. The Report I was authorised to bring up stated:—

A careful consideration of the evidence leads your committee to the conclusions expressed in the following propositions:—

1. That the creation of the office of Government Resident at Port Curtis by Sir Charles FitzRoy was an error, which has already involved the colony in a loss of several thousand pounds, without any determinable public benefit.
2. That the gentleman appointed to the office was not peculiarly fitted for performing its duties, so as to promote the objects of the Settlement.
3. That the appointment of a Police Magistrate to the Township of Gladstone would be a sufficient provision for securing the ends of justice, and the preservation of order at Port Curtis, under present circumstances.
4. That, supposing this change were immediately effected, the capabilities of the District would have an equal chance of development, and the progress of the Port would be in no respect retarded.

Another enquiry by a Select Committee which I obtained in those early days was ‘to enquire into all the circumstances connected with the unauthorised expen-

diture, by His Excellency the Governor, of the sum of 14,000*l.* and upwards, in the erection of that portion of the Semi-Circular Quay extending from the east side of the Tank Stream to Campbell's Wharf;—and the stability of the work; and to report thereon to the House.' Undoubtedly a serious expenditure had been met in a manner quite unauthorised, and there were good grounds for believing that the work was bad. The Report of the Committee concluded in the following terms :—

If this expenditure were to receive the sanction of a simple vote of your Honourable House, it would establish a precedent highly inimical to the powers of the future Legislative Assembly; and, to guard against any such mischievous consequences, your committee are of opinion that the question ought not to be entertained, except on the introduction of a Bill of Indemnity by the Government.

Your committee are further of opinion, that the great and manifest injury sustained by the public in this instance, by bad work on the part of the contractor, may render it a question of grave consideration for the Government, whether this gentleman ought to be entrusted with the construction of any of the public works of the colony.

As the evidence of Mr. Rowntree and Mr. Russell leads to the conclusion that timber of the size and in the quantities required by the specification, and paid for, has not been used by the contractor, and that he has been overpaid, your committee are of opinion, that it is the duty of the Government immediately to institute a full enquiry into the facts of the case, and to direct the Attorney-General to take prompt measures for recovering any sums which may have been improperly overpaid, as well as compensation, by way of damages, for any work that may have been improperly performed.

Looking back upon my entrance upon the stage of Parliamentary life, I think it must be admitted that I was not idle. I at once entered into the work with an astonishing amount of zeal. Sitting up all night was a recreation to me. I did not know what weariness could mean. I would leave the Council when it adjourned

and go to the 'Empire' Office, where I would remain until daylight. Day and night I was at work. Very often I was thirty-six and forty-eight hours without going to bed. I believe in those days I could have gone into the fire

As blithely as the golden-girdled bee
Sucks in the poppy's sleepy flame,

for the sake of my convictions. I must have been made of the stuff of martyrs. But the great gain to me in those two sessions of hard work in the old Council was that I was drilled into the methods of political thought, and brought into intercourse with men who, whatever might be their opinions, had the education and breeding of gentlemen. There were Admiral King, Mr. Alexander Berry, Mr. Icely, Mr. C. D. Riddell, Mr. S. A. Donaldson, Mr. Plunkett, Mr. James Macarthur, and the Speaker, Dr. Nicholson (as we familiarly called him before the baronetcy), who, though they held no opinion in common with me, were always affable and kind. From Mr. James Martin (then in the dawn of his manhood) I learnt much. Not that I professed to learn or he to teach; but I had already cultivated the habit (quite unsuspected, I believe) of turning rebuke, ridicule, or condemnation to good account; I do not think I ever shut out a wise word because it came from an enemy. Mr. Martin was not an enemy, but he was a very self-sufficient man, with an absurd contempt for persons who did not agree with him. He had fine generous qualities, in spite of his efforts to imitate the rich and privileged, and, quite unsuspected by himself, I carried off many a bit of wisdom from his denunciatory conversations.

All this time my personal influence was spreading and strengthening among the people. I had committed no serious fault; I had the appearance of a young man, though I was thirty-nine years of age; I spoke out boldly what I thought, which people liked; and I did

not think my manner was offensive or pretentious. I made friends rapidly, probably because I did not care about making them.

As the old Council came to the day of its last meeting, I began to think that I could not go on attending as I had done with such scrupulous zeal to the business of legislation and to the management of a daily newspaper. From the first I had laid it down as a rule of conduct not to accept any public position unless I was prepared to discharge the duties belonging to it. I have never been an alderman. I have always declined to act on committees of public institutions to which I have been elected as a compliment. Though my name as Minister has been appended to the appointment of thousands of magistrates, I have never consented to be a magistrate myself. As a member of the Legislative Council of 1854 and 1855, I made a point of being always in my place when the Speaker took the chair, and of remaining until the House adjourned. I voted in every division of the House, and I regularly attended the meetings of all committees. Without consulting anyone and without any break in my activity, having made up my mind to retire, I addressed the following letter to the electors of Sydney:—

Gentlemen,—In the course of the ensuing week the Legislature, to which you did me the honour of electing me by an unprecedented majority of your votes, will virtually terminate its existence, and its actual dissolution cannot be very long delayed. It seems to me, therefore, that the time has arrived when I ought to inform you of my intention not to present myself again among the candidates for your suffrages.

During the two laborious sessions of my service as your representative I have felt the conviction gaining strength in despite, as I freely own, of some feeling of ambition, that neither my time nor whatever humble ability I might possess could be sufficiently subjected to my will to enable me to discharge the high and responsible trust reposed in me with that uniform devotion to the public interest which is implied in its

acceptance. Though I have generally been in my place, I have attended the sittings by wrenching myself, as it were, away from other duties of an equally serious nature, which often left me wholly unprepared for the business of the Council; and in the part I have taken there I have never felt conscious of any success to satisfy my sense of what is due from the Representative to his Constituents. While feeling all this, I have also felt that the distinction conferred by your votes is the greatest within the reach of the servants of the people, and should only be enjoyed in association with the most efficient performance of public duty. Besides, the obligations of the trust are sacred, as covering momentous consequences to society, and neglect, as well as wilful violation of those obligations, must be positively sinful in proportion to the injury thereby inflicted upon our fellow-creatures. It is not, then, that I lightly value the post of your Representative, but because I am sensible of my inability to occupy it with advantage to the country, that I desire to give place to another, and, as I sincerely hope, a better man.

I am aware that, by taking this course now, I lay myself open to the taunt, in some quarters, of declining that which might never be offered; and I freely admit I have no reason to expect that I should be invited to stand a contest for your representation in the new Parliament. But I would rather incur this risk of ridicule than silently allow any trouble to be taken on my behalf by those from whom I have received such uniform kindness and so many marks of confidence.

The great change about to take place in our form of Government will, we all hope, be accompanied by vigour and enlightenment in the administration of affairs, diffusing the blessings of constitutional liberty through all classes and interests of the country. Outside the walls of the Legislative Assembly, it may yet be my privilege to assist in bringing about so desirable a consummation. In making up my mind to stay outside, I have had to conquer a strong feeling which my better judgment has told me ought not to be gratified; but the self-denial has been sweetened by the knowledge that I have before me another field, fairly won by my own efforts, for future usefulness. I leave the Legislature, as I entered it, from a sense of duty alone. You opened the door for me against singular obstacles. I cheerfully close it with my own hand.

If I am too poor to make the sacrifices incumbent on a

Representative of the People, I am at least too proud to accept the honour and neglect the duties of that noble office.

I remain, Gentlemen,

Your very faithful Servant,

HENRY PARKES.

Sydney, December 8, 1855.

Like many other men under similar circumstances, I did not adhere to my decision. I met with no one who approved of it; and a month afterwards, on January 7, at a public meeting of citizens convened for the purpose of 'nominating four gentlemen as fit and proper persons to represent the city in the new Parliament,' I was selected as one of the candidates, and a week later, under pressure from all sides, I consented to stand. The result of the poll in that first election to the new Parliament was as stated below:—

Charles Cowper	.	.	.	8,075	} Elected
Henry Parkes.	.	.	.	8,057	
Robert Campbell	.	.	.	8,041	
J. R. Wilshire.	.	.	.	2,091	
J. H. Plunkett	.	.	.	2,800	

I am now the only man of the five who is still living.

CHAPTER IV

SEVEN YEARS AS A JOURNALIST

I SUPPOSE all men of average human capacity are more or less conscious of their own faults. I believe my cardinal fault through all the days of my physical strength has been precipitate zeal. If a thing of hazard had to be done, I was always ready to do it. It was this quality of my nature which impelled me to enter upon the career of a journalist. I had no practical experience in journalism; knew nothing of the printing business; and I was never reputed to be a man of good business capacity. But my personal reputation

stood high, and my energies knew no limit. Though thirty-five years of age, I had never been sued in a court of law or involved in any serious dispute; and in all my personal relations I believe I stood well with my neighbours. My first appearance in the courts was as defendant in an action for libel, not long after my start as proprietor and editor of 'The Empire,' and all my personal troubles date from that, to me, unfortunate enterprise.

A public organ was wanted by our young party, and I came forward to supply the want; and while no one attempted to dissuade me from the undertaking, I met with encouragement from nearly all my friends. I was myself intoxicated with the hard and exciting mission of a propagandist. It was assigned to me to create and spread throughout the land a sound and enlightened public opinion. So I regarded my task. I looked steadily at the work to be accomplished, and I never stopped to count the cost.

The first number of 'The Empire' was issued on December 28, 1850, and the journal announced itself as an advocate of a wide extension of the franchise, the reconstruction of the representative system on a population basis, a more comprehensive system of education, suited to the circumstances of the colony; and it declared against all taxation except such as was necessary to meet the expenses of Government. The first four numbers were published weekly, but on Monday, January 20, it appeared as a daily paper, for the first six months only half the size of the weekly issue, afterwards the full size. At this time there was one daily paper in Sydney, two or three weekly papers, and not more than half a dozen papers in the country districts. 'The Empire' had an uphill struggle, but it pushed on; and in the course of time it collected a staff of excellent writers, among whom in its earlier years were James Martin, Daniel Henry Deniehy, Sir Thomas Mitchell,

Edward Butler, Angus Mackay, and others. Very early in the management I learnt some of the sound rules of journalism—not to allow persons, under the guise of contributed articles, to use the paper for their own purposes; not to allow personal bias to colour the reports of speeches, to insist upon facts as the basis of criticism, and to respect the precincts of private life. On the whole, I was fortunate in the gentlemen who were associated with me, and I soon began to revel in the atmosphere of the editor's room.

Circumstances, to be spoken of with greater fullness at a later stage, opened fields for spirit and boldness in the conduct of the paper; and two events of special magnitude brought it into the broad light of day. These were the discovery of gold and the Crimean War. Steam communication with England was a thing talked of; the electric telegraph had no existence in the colony. It was quite a fierce competition—sometimes a work of ingenious strategy—to obtain English news from a sailing ship, which might make a long or a short passage, and whose arrival was a matter of calculation until she hove in sight. 'The Empire' had a whaleboat with a crew of four picked oarsmen, besides the reporter, which often went miles out to sea to meet an expected ship. By this kind of adventurous competition, and by other means, we were in the majority of cases the first to publish the news. There would be a crowd of many hundreds waiting in the street before the office for 'The Empire' 'extraordinaries.' There were occasions of much excitement all through the period of the war with Russia. At this time I had been elected to the Legislative Council. One of the nominee members was the late Mr. Broadhurst, a well-known barrister of the period, who was as eminent for his wit as for his law. I was on one occasion in the library watching the flagstaff from the window, expecting to see the signals hoisted for a ship

from London. Mr. Broadhurst came in from the Chamber, where a heavy debate was going on. 'How is this,' said he, 'not listening to your colleague?' (the member speaking). I simply replied, 'I am watching for the ship signals.' 'Oh,' said he, 'I see your attention is flagging.'

In respect to the gold discoveries, Mr. Edward Hammond Hargraves made his first revelations in our office, when they came, as it were, from a region of dimness and uncertainty, at the time when Mr. Wentworth foretold all kinds of ruin and disaster among the consequences. 'The Empire' was the first journal to send a 'special commissioner' to the goldfields, the person chosen being Mr. Angus Mackay, afterwards Minister for Mines in Victoria. Altogether the new elements of interest and excitement arising from these pregnant events gave a great impetus to 'The Empire.'

A serious economic difficulty in the management of 'The Empire' arose from the gold discoveries. The wild and sudden rushes to the goldfields were contagious among printers as well as among others, and wages rapidly increased, until compositors could earn 10*l.* to 12*l.* a week. High wages nearly always have a vicious effect on the worst portion of those who are the recipients. Men of a reckless disposition and of irregular habits seem to take an inexplicable delight in embarrassing their employers, and in too many instances the better disposed weakly yield to their insidious influence. With money in their pockets and many demands for their services, they love to make their independence disagreeably felt. If they are urgently wanted at their post, for that very reason they will absent themselves. I hope I make it quite plain that I do not include the respectable portion—the large majority—of the artizan class in this description. In my case they combined in the following manner. One Saturday evening the compositors held a meeting among

themselves, a 'Chapel,' as the trade term expresses it; and passed a resolution to the effect that my non-compliance with their demand for an increased price for one particular kind of work was equivalent to dismissal, and they accepted it as such. On this resolution being presented to me I sent for the men, who came into my office to the number of seventeen. I expostulated with them on the unreasonableness of their conduct, explained that I was acting under the advice of my overseer, who was a practical and an experienced member of their own craft, and that it was a rule in the office, both on the part of the employer and employed, to give a fortnight's notice in terminating their employment. I further reminded them that some of them were under a specific agreement for three months, and that their passages from another colony had been paid by me. Finally, I offered to withdraw from the paper altogether the particular work in dispute, which did not amount to more than 2s. to 3s. in each case, or, as an alternative, I offered to abide by the decision of a general meeting of the trade, and if it was against me, to pay the amounts which had been withheld. After all this the men came in for their wages, and, on paying them, I argued the case over again with each individually, but to no purpose. They persisted in refusing to bring out the paper on Monday morning, which, in the state of things then prevailing—the impossibility of supplying their places—threatened absolute ruin to me. I had, however, some means of averting the worst consequences. Some of my reporters were compositors by trade, I knew one or two gentlemen in other callings who were compositors, and I had some smart lads as apprentices. By the zealous help of this rather motley group of emergency hands the paper duly appeared, though reduced to half its usual size. On the Monday I applied for warrants against the whole of the seventeen men for conspiracy, which were issued; the men were

arrested, and committed to take their trial for the offence. They were all admitted to bail, I myself becoming bail for one of them. In due course they were tried before the Chief Justice (Sir Alfred Stephen) and Mr. Justice Therry, and convicted, all but four receiving sentences of imprisonment varying from one week to six weeks. The four others, in consideration of their slight participation in the proceeding, and their good conduct, were sentenced to a nominal imprisonment—namely, until one o'clock the next day.

This painful episode in my life as a journalist has very often been brought forward in exaggerated form to injure me in public estimation, but I do not think I have ever suffered from such attacks. In less than three months after the occurrence I became a candidate for the representation of Sydney in the Legislature, and my infamous conduct in 'imprisoning the printers' was posted everywhere on the walls of the city; but I was elected by nearly two to one, and I know that some of the men themselves gave me their votes. In justice to myself I give one passage from my evidence before the police magistrate (Mr. J. S. Dowling) when the men were committed, omitting the names, except that of my overseer, Mr. M'Kelly. I am thus reported :—

I drew their particular attention to the fact that I did not dispute the justice of their claims on my own judgment, but if they could convince me that it was right I would pay it. They then went away, and held another meeting. I waited until they had done, and then they came up to be paid; I was there till ten o'clock that Saturday night; they all came to be paid with the exception of two. I spoke to them all individually as I paid them; to ———, who came first, at some length; this is one of the men engaged at Port Phillip, whose passage I had paid from thence to Sydney; he had only been with me one week, so I asked him if he was going to leave me in this manner; he said he was under no agreement to stop, and he should certainly leave. I then asked him if he thought he was

using me rightly by so doing; he shook his head, and said he could not help it. I then asked him if he thought he was justified in leaving without giving a fortnight's notice, as was the usual custom in the trade. He said, 'Yes; on an occasion like this he would do as the others did.' He then went away, and has not since returned or offered to return to his work. The next man was —; he said he was very sorry, he liked the establishment very well, and also liked Mr. M'Kelly, the overseer. I asked him if he was going to leave; he said he must do as the others did. Mr. M'Kelly was present at this time. I made similar enquiries of all as I paid them. —, whose passage I had paid from Port Phillip, said he wished to give me a fortnight's notice, as he thought of going to the 'Herald.' I said, 'Very well; will your three months be up then?' He replied, 'About it.' Knowing that his time had nearly expired, I took his word as correct, and merely added that I was sorry he was going, but could not expect anything more than a fortnight's notice; when, to my surprise, he said, 'But, as the others are going, I must also leave now.' I then said, 'What! Give me a fortnight's notice, and then leave instantly?' and he said, 'Yes, as the others are going, I will go with them.' I spoke to —, for whom I felt some respect, and asked him if he was going. He said he was sorry, but he must do as the others did. I also spoke to —, and I reminded him that a similar combination of the trade had prevented him from earning his bread in Melbourne, for he had informed me when I first engaged him that at Melbourne they would not allow him to work in any office, because he could not show his indentures. I engaged him in consequence of the earnest solicitations of his sister, who had been a fellow-passenger with me some years since. I reminded him of all these things, and he said he could not help it, he must go. I spoke to —, and Mr. M'Kelly reminded him of his distinct agreement to serve three months; he said he would not work unless the extra money was paid. I spoke to others, generally in the same way, who gave me similar answers, and several gave me to understand that they were satisfied with the office generally. They all left, none returned to their work, and I ascertained afterwards that they did not intend to come back.

The Attorney-General (Mr. J. H. Plunkett), who prosecuted, said, in opening the case:—

The public, he contended, was indebted to Mr. Parkes, the proprietor of 'The Empire,' for the stand which he had made against the attempt of the defendants, as nothing could be more detrimental to the interests of society than that such proceedings should be tolerated. It was the business of the Court and Jury in the present instance, by determining with an impartial mind between employer and employed, to establish a precedent which would be a guide for the future in similar cases. If a case had occurred wherein a number of employers had assembled together, and at once proceeded to dismiss those in their employ, throwing them on society, and suddenly depriving them of the means of procuring bread for their families, it would have been equally the business of the Public Prosecutor to institute rigorous proceedings. On the other hand, it was impossible that the business of the colony could be carried on if the employed were allowed to meet together, as it appeared the defendants had done, and pass a resolution that unless the conditions which they might choose to name were complied with, they would leave off work at once.

And again he said :—

From what he had seen and heard of the case, he was of opinion that the prosecutor had evinced all through a spirit of the greatest liberality, and had shown himself even willing to waive in a great degree his own rights in order to prevent the course which the defendants had adopted.

In passing sentence, Mr. Justice Therry thus characterised the case :—

There were many modes in which the claim, if a just one, might have been enforced ; and it is impossible to hear the evidence of Mr. Parkes without acknowledging that the proposals he made for settling the matter were most reasonable and just, and such as every honest man must have been satisfied with.

And at a later stage in his summing up :—

If he had been a timid man, or one who regarded pecuniary profit in preference to the performance of a public duty, it would have been Mr. Parkes's manifest interest to have acquiesced in the demand, for the increase asked of him did not exceed 1*l*. 15*s*. per cent. on the whole work ; but if he had

succumbed in this instance, in what instance could he afterwards have resisted a similar demand? If he had recognised the right of the men to charge for any other description of work whatever sum they thought proper, with what consistency could he afterwards have attempted to shake off a tyranny to which he had once submitted, or resist their dictation to him at all future times, after he had once set up a precedent admitting their right to regulate and control his expenditure? He asked for a reason for this resolution. The defendants were silent, and refused to give any, and then forthwith proceeded—by substituting a menace to ruin him, for the reason the defendants refused to supply—to carry out their organised and preconcerted plan of going away if their wages were not raised.

The conduct of the compositors on ‘The Empire’ naturally compelled me to think of what might arise at any stage in the future. Not only had the men disregarded the usage of the trade which they would have expected me rigidly to observe, and all reasonable considerations between man and man, but some who were under specific engagements had deliberately broken them, while others, who admitted that they had nothing to complain of, nevertheless joined the plotters; and they had thus banded themselves together apparently to destroy me, without giving me an hour’s notice. I at once determined to protect myself as I best could from a second inroad of this unreasoning selfishness. I was aware that in Madras there was a class of men known as Eurasians, the sons of European fathers and Asiatic mothers, many of whom had been brought up to the printing trade. I immediately sent an authority to Madras to engage twenty-five to thirty of these Eurasian compositors for ‘The Empire.’ I did not seek a reduction of wages, but only a certainty of the work required being done. The agreement authorised to be entered into on my behalf with the men was for a term of years at 4*l.* a week; and an eminent Judge of the Supreme Court of Madras, Sir William Burton, very considerately undertook to look after the interests

of the men in their engagements. Not being sure that I could obtain composers at Madras (there was no electric telegraph), I at the same time wrote to my London agents to engage ten English composers. In due course the new hands arrived both from India and from England. My special object in sending to Madras was that, if the men could be obtained at all, they could be obtained in much shorter time.

I deem it necessary to explain these transactions as being among the consequences of the reckless strike of 'The Empire' printers. I was quite prepared for the odium which a class would seek to fix upon me, and for the use which my political opponents would make of my conduct in the matter; but I have never felt that my reputation suffered at any time from these attacks. The working-men of the colony could easily discriminate between my case and the wholesale importation of Indian coolies or South Sea Islanders at a nominal rate of wages, with the avowed object of escaping from the burden of free labour. No one can more sincerely regret than I do the origin of these unfortunate proceedings in connection with 'The Empire.'

It will hardly surprise the reader of these chapters that I often got into conflict with the law of libel, and looking back now, I am myself surprised that my afflictions in that way were so few. I held the opinion that timidity was one of the worst qualities in a public journal, and I cannot call to mind the occasion when any such charge was brought against 'The Empire.' The gentlemen associated with me did not need much encouragement to write boldly, and there was no scarcity of subjects for animadversion. Though I should be sorry to defend everything that was written in 'The Empire,' I still hold that in those times, when the country was passing from the Old to the New, a fearless journal performed a public service which can scarcely be over-estimated. From 1853 to 1857, all through

the throes of constitutional birth, 'The Empire' was a powerful organ of Liberalism, and a well-arranged newspaper. Its reports were full and accurate; its news columns generally had the attraction of life and freshness; and the medium through which it spoke its opinions was seldom wanting in vigour.

During these days Mr. Edward Wilson presided over 'The Argus' (Melbourne), and he and I became friends. When he visited Sydney, he was often my guest, and many an hour we spent in talking over the prospects of the two papers and the fortunes of the two colonies. I have before me now a bundle of Mr. Wilson's letters which are full of interest in their chatty and discursive comments on men and things of the period. The colony of Victoria was in its very infancy, three to five years of age, and the elder colony was passing rapidly through those changes which gave it political enfranchisement and a vigorous public opinion. Both were still living under the hybrid constitution of 1850, with the dawn of constitutional liberty breaking over the new fields of their industrial life. Edward Wilson was then a Radical of the Radicals, however he may have changed when he retired from the active work of the colony with a fortune, to spend his latter days in London clubs and amidst the historic associations of Hayes, where he lived his last years, and died. 'The Empire' introduced me to other remarkable men outside the sphere of journalism—Edward Smith Hall in New South Wales, John Pascoe Fawcner in Victoria, Charles Gavan Duffy, and several men of much promise who are now nearly forgotten. Smith Hall was a veteran in the service of the colony. In the early times of oppression and cruelty, when there was a severe censorship over the press, he conducted a paper with marked ability, outspoken honesty, and courage, for which he suffered more than once the penalty of imprisonment. He battled bravely

against the high-handed proceedings of Governor Darling and against every abuse of power. The name of his paper, the 'Monitor,' remained with him, and to the day of his death he was best known as 'Monitor Hall.' I have had many chats with Mr. Fawcner on the first settlement of Port Phillip, and, in my own office in Sydney, on the political prospect before constitutional government was achieved. He was a shrewd, clear-sighted man, with fads and whims of his own, which did not materially qualify the value of his opinion on public questions. I shall have occasion to speak of Mr. Charles Gavan Duffy in other chapters.

Nearly all the men who afterwards represented the newly-formed Liberal Party in the early Ministries were in the habit of frequenting 'The Empire' office, and with some of them I became intimately acquainted. It is now more than a generation since my journalistic life closed—closed in absolute ruin to my worldly prospects; and those seven years of continuous labour have remained a blank in my existence. In the midst of other unceasing work I have seldom recalled any circumstance of that period of my past, which, whatever may have been its influence on the progress of the colony, left me nothing but the gleanings of bitterness and regret. In my family and among my friends the name of 'The Empire' has been a forbidden word. Looking back to it now, and to the desperate efforts which had to be made throughout the agony of all industrial operations which followed the gold discovery, I recollect going home on the summer mornings when the sun was in the sky, and returning after three or four hours of sleep; and I recollect days and nights together without sleep at all.

But 'The Empire' did its work—on the whole an heroic work—for New South Wales and for Australia. Beyond doubt it created the first distinct party with a Liberal creed and the means of vigorous action. A

strenuous public opinion, embodying the most advanced views of the leaders of thought in England, took root in the land, threw up a rapid growth and spread widely. Nearly all the generous actors in that first Liberal movement are now in their graves. Among the later writers in 'The Empire' were Charles Gavan Duffy, the Rev. B. Quaife, and T. L. Bright, and they sustained its power and influence to the last.

The enterprise of 'The Empire' awakened an appetite for newspaper reading among the people, and stirred into a new activity those already engaged in journalism. The only other daily paper in the colony put out fresh energies and recast its organisation; and under the direction of the Hon. John Fairfax, a gentleman of clear discernment and strong character, it went through a succession of literary and mechanical improvements which made it twenty years ago—what it continues to be to-day—the first journal in New South Wales, if not the first in Australia. While this effect was produced in the Metropolis, newspapers began to multiply in the interior, and soon nearly every country town had its organ of political opinion. The newspaper press at the present time is a powerful institution in Australia, and affords the truest safety to the infant liberties of the Australian people. Men succeed in obtaining election to the Legislative Assembly who, beyond a rude power of speech, have few qualities to sustain them and conduct them to right ends in the business of Parliament, and the principles of government suffer grievously sometimes from their rough workmanship. But it may be accepted as a rule that the persons in charge of any public journal of importance, such as the daily papers in the great Australian cities, will use their best endeavours to secure not only talent and education, but judgment and character in the expounders of their political opinions. It is indeed fortunate for Australia that the shortcomings of her

the late Sir Charles Cowper at its head, was doomed to a like brief existence. During these first few months the men elected from the legal profession, or the ranks of trade, or fresh from the associations of the bush, had difficulty in finding their depths in the flood of political progress which had set in upon them. Nothing was done, and nothing could be done, by those brief-lived Ministries. The third Ministry, formed by the late Sir Henry Watson Parker, existed nearly a year, and from its advent commenced the conflicts of policy, from time to time assuming more distinct features, which divided the early Parliaments. At the same time legislation of a progressive character set in, and made steady advances. In the next three or four years the electoral system was reformed, State aid to religion was abolished; and John Robertson's sweeping Land Bill, the principles of which had horrified many worthy souls, was carried into law.

On the opening of the first Parliament the election of Speaker gave rise to a severe and animated contest. Mr. Henry Watson Parker had been Chairman of Committees in the old nominee Council, and he was proposed for the Chair in the new Conservative interest. On the part of the Liberals, Mr. Cooper (now Sir Daniel Cooper, Bart.) was put forward, and was elected by the narrowest majority. That contest had served very effectually to give cohesion and definite form to parties slowly gathering round selected leaders, and Charles Cowper became the chief of the Liberals. Mr. Cowper was a gentleman of good address and high personal character, the son of an Archdeacon of the Anglican Church; his Church principles were accepted as of the true pattern, but his Liberal political opinions had to be cultivated. Step by step he forced himself, or allowed himself to be forced, to a somewhat uncertain level with his followers. He had a familiar acquaintance with the affairs of the colony, quick insight in

dealing with surrounding circumstances, and much good-humour and tact in dealing with individuals. His political adroitness was such that it secured for him the popular *sobriquet* of 'Slippery Charley.' But Mr. Cowper was well suited to the demands of the time, and supplied a valuable link in connecting the old with the new. Apart from the Legislature, he was a good administrator, and did excellent service in fitting the state ship for her far-extending voyage. His second Administration took office on September 7, 1857, and lasted until October 26, 1859. It was a Ministry of many changes in its composition; though there were only seven offices, no fewer than thirteen persons were sworn as holders of them at different times. In the Treasury Richard Jones (a highly respected man, still living) was followed by Robert Campbell, a man who was loved by the people, long since dead, and he was followed by Elias C. Weekes, who was Treasurer twice afterwards. The late Sir John Robertson took office for the first time in this Ministry as the successor to Terence Aubrey Murray on January 13, 1858. John Robertson at this time was regarded by many as a wild visionary, who would abolish the Upper Chamber, and do other extreme things, and I have heard one of the Ministers say in company that the Premier, after having made the offer of office to him, reported it to the Cabinet in the words, 'I have been and done it!' He was, however, the only man who had made up his mind on the land question, in favour of 'men choosing homes for themselves,' and his views met with wide and enthusiastic acceptance and support. In a short time, if difficulties beset the Ministry, it was safe to appeal to the constituencies on the influence of John Robertson's name.

As was to be expected, the questions which were taken up most warmly in the new Legislature were the administration and disposal of the public lands and

Electoral Reform. The first two Governments had too brief an existence even to pull themselves into working order. The third Ministry faced in earnest several questions of reform; and was wrecked on an attempt to change the Electoral law. It was composed of men who deserved well of the country, two of whom are still living, Sir John Hay and Sir William Manning (November, 1891). Among the earliest changes was an enactment repealing so much of the Constitution Act as rendered a two-thirds majority necessary to the amendment of the Constitution in other particulars; and a decision of the assembly bringing the Ministerial arrangement more in harmony with the operation of the new principles of Government. Mr. Martin, who had given much attention to this matter before the introduction of Responsible Government, proposed that there should be four Principal Secretaries, and that 'one of the Secretaries should occupy a position in reference to his colleagues similar to that occupied by the First Lord of the Treasury in England.' The motions actually carried were in substance that there should be four Departments: (1) The Principal Secretary; (2) The Treasury; (3) The Attorney-General; (4) Lands and Public Works. Acts were passed for the improvement of the administration of justice, and for the better management of the newly-discovered goldfields. It sounds strange to find the Governor, on closing the first Session, using the following words in reference to that part of the territory which now forms the colony of Queensland: 'The reasonable demands of the northern district of the colony have been amply met by the establishment at Moreton Bay of a court possessing the most comprehensive jurisdiction, both civil and criminal.' Yet what was done in that first Session was a great improvement on the state of things previously existing. In the generation which has since passed away, Queensland has sprung into existence and has made her name known

throughout the world. Another question had prominence in the Governor's closing speech which is now almost banished from Australian politics, that of the policy of introducing new population. The speech says: 'A liberal amount has been granted for the promotion of immigration; and as this question is one of very vital interest to the colony, it will, during the recess, engage the most anxious consideration of the Government'; and the hope is expressed that a system would be devised that would 'lead to the introduction of a steady and continuous supply of useful labour.' The Prorogation Speech also foreshadowed, as one of the blessings of the future, 'an enlightened and comprehensive system of education.'

The fourth Ministry, formed by the late Sir Charles Cowper, took office on September 7, 1857, and before Christmas, having been defeated on December 17, on a Bill to increase the assessments and rents of the squatters, they dissolved Parliament. Three of the ex-Ministers, among the best men the colony has at any time possessed—Parker, Donaldson, and Hay—never again took office.

Sir John Hay still occupies an honourable place in the public life of New South Wales. After serving nearly five years as an independent member, he was elected, on October 14, 1862, to the Chair, being the third Speaker since May, 1856. A few years later, on July 8, 1873, on my recommendation, Sir John Hay was appointed by the Crown to the high office of President of the Legislative Council, which he still holds (November, 1891). A few years later still he received from Her Majesty the K.C.M.G. Sir John Hay is a man of peculiar graciousness in his personal bearing, which seems to have grown in the formation of his character from an innate love of truth and justice tempered by an unfailing kindness of feeling. His political views are on the side of progress, giving much weight to the

counsels of wisdom. Among Conservatives he would be held to be a Liberal; among extreme Democrats he would be regarded as a Conservative. In every walk of life he has been an exemplary citizen, and one of whom any country might be proud.

During these and the next few years I worked hard and without rest in advocating the principles which I thought essential in the growth of a free commonwealth. From the first I contended for the military defence of the country by its own citizens, and warmly supported the first enrolment of Volunteers. In those early days I raised my voice and gave my vote in favour of immigration from the mother-country, at the same time insisting upon care and discrimination in the selection of suitable persons and precautionary steps against exceeding the means of absorption in the industrial pursuits of the colony. In my judgment, in no sense modified by my life-long experiences, the unreasoning opposition of a portion of the working classes to all immigration is little short of a craze. My argument has always been, and is still, that if there were four times the people in the country, the men and women of the right stamp, sober, industrious, and self-helping, every one of the present population would be better off from the economic effects produced by the larger numbers. Nothing is so valuable or so much wanted in a new country as labour. One of my first motions after my election to the old Council in 1854 was in favour of an improved system of immigration, and I remember that among those who congratulated me on that effort was Daniel Henry Deniehy, one of the truest Democrats that ever lived. A quarter of a century afterwards, on March 10, 1881, I advocated the estimate for immigration which I submitted to the Legislative Assembly as Prime Minister in the following speech:

Sir HENRY PARKES: I am much surprised at the manner in

which this question has been discussed by the honourable member for Newcastle.¹ Certainly the estimate is not brought down with any such views as those he seems to entertain—I mean with such views of the abstract question. The honourable member for Newcastle has considered the subject from first to last as if it were a mere question of introducing labour to depress the labour market. I have no such view as that, nor do I think that any advocate of immigration to a new country who understands what he is doing can entertain any such object. I am not surprised that the honourable member should oppose this vote, inasmuch as from what I gather from his speech, he has never once looked at the question in the light in which it is regarded by the Government. I have been an advocate of immigration throughout the whole period of my public life; but I never supported it on any such grounds as have been set forth by the honourable member, and I may be pardoned if, at the very commencement, I ask what I can have to gain personally by advocating immigration? I am not identified with the class of large employers. Even my family will all have to fight their own way in as hard a battle of life as any other person; and I can promise one thing, that they will never get assistance from me as a Minister. I am identified with the poorer classes of the people—people who must win their own way; and it is because I believe I am identified with the great classes of the people which lie at the foundation of society that I am an advocate of immigration. But why? Because without the element of population we cannot build up a nation in this new country. I want men and women—free men and women—of our own stock to assist us in laying the broad foundations of an empire; and when the question is narrowed down to this inconceivable contention between labour and capital, I would like to ask this one pregnant question: Are not all, or nearly all, the employers of labour in this country men who have sprung from the ranks of labour? If we could trace the immigrants who have arrived here by the assistance of the State, we should find that they are the very men who, by their perseverance, by their provident habits, by their enterprise and their insight into industrial affairs, have become the great employers in this country. They do not come here to remain serfs; but to fight the battle of freemen where there is ample

¹ The late James Fletcher, Esq., a strong opponent of immigration.

room for their exertions. I do not feel surprised at the indignation of some of the first men in the mother-country at the illiberal views of colonists in trying to resist the influx of their brothers and sisters from the old country. It is incomprehensible to men of enlightened minds in England that such mean and detestable feelings can exist as would prevent others from coming to our shores to share in the benefits of these new lands, which are just as much a portion of the empire as any other.

Mr. FLETCHER: We do not try to prevent them.

Sir HENRY PARKES: The honourable member does; and those who for the sake of the colour of decency resist this trifling expenditure would resist the influx of immigrants altogether if they could. What a specious attempt at argument it is to say that the people of this country are taxed for the purpose of defraying the expense of immigration! Do not these broad domains belong to the people? And do they not in reality belong to the English people who may come here as well as to those who are here? And, if this is the case, why should not a portion of the money derived from the sale of these lands be expended to enable us to hold out the hand of fellowship to our brothers and sisters in the old country? I shall return to this part of the subject by-and-bye, but I state at once that I can neither entertain sympathy with the honourable member's views nor comprehend his motives or his objects in making the speech he has delivered. I have to perform what to me is a very unpleasant duty before I come fully to the advocacy of immigration—before I come to the question as to the object and the purposes of introducing new population. The question is one surrounded with difficulties, and with many painful differences of opinion. Whilst the opponents of immigration by the aid of the State funds are against us, we find that persons who are in favour of immigration are also opposed to us on other grounds. I, for instance, though extremely anxious for the introduction of new population, and believing that there can be no grander policy for a new country—for instead of being a paltry question between capital and labour, it is a large question of national policy—one of the very grandest of all policies for a new country—I, nevertheless, whilst entertaining this view, confess that, in the introduction of new population, I am likely to come into conflict with people who entertain my own views on that question, and who have

cheered me during the last few minutes. I am anxious to preserve the present elements of the population. I am, therefore, not of opinion with the honourable member for Boorowa, as I heard him express himself some weeks ago, that we ought to establish any system of immigration irrespective of the question whether it would be likely to change the character of the population of this country. I am as willing as I can be to assist in bringing Englishmen, Scotchmen, and Irishmen here; but I am not willing to bring the people of one country at the expense of the people of another kingdom. I would not, I say at once, give my support to any immigration which had a tendency to change the British character of the population as it now exists. I disclaim any hostility to the people of any of the three kingdoms; but I would lend no advocacy of mine—on the contrary, I would advance every opposition in my power—to the bringing here of a majority of people from Ireland. I hope I may be able to express this opinion boldly and without reserve, without being charged with bigotry or with a dislike to the Irish people. I say that I want to preserve a majority of Englishmen and the descendants of Englishmen in this country. I say, moreover, and, unpleasant and painful as it may be, it is a matter which ought not to be shirked, that I want to preserve the teaching and influence of the Protestant religion in the country, and I would lend no assistance whatever to any scheme which would have a tendency to depress the Protestant elements now in existence. For this reason I am an advocate for the immigration to this country being regulated by whatever the census returns will show to be the elements of the population of the three kingdoms now existing in the colony. I think that is quite fair and equitable, and that there ought to be no objection to it. I do not think that we ought to be charged with illiberality because we object to a movement of the population which would change the character of the country. I will explain what are the changes in the regulations which the Government propose to establish if this vote is passed. We propose in the first place to ask the immigrants to pay one-half the amount of their passage-money. That is a higher proportion than they have paid hitherto; but we have reason to think that we can get as many immigrants as this vote would cover if the amount to be paid were increased to that extent; hence, under the new regulations, this 50,000*l.* will bring out as large a number of immigrants as could be introduced if a sum of

100,000*l.* were voted without the regulation being in existence. If it be a fact that we can get immigrants who would be prepared to pay half the cost of their own passage, there is in that fact alone some evidence of provident habits; for it may be roughly assumed that those of the working-classes who are able to save money for purposes of this kind are in moral respects superior to those who have not been able to save. We shall have some evidence, therefore, under the new regulations of obtaining a better, a more provident, steady, and sober class of immigrants. That in itself would be a good thing, besides the fact that the vote would extend over a much larger surface. In the 3rd section of the regulations it is laid down with a little more precision than in former regulations that the immigrants shall be chosen in proportion to the elements of the population of the three kingdoms, as shown by the census returns, to be taken this year. The 4th section provides that instead of 20 per cent. of the immigrants being unmarried women, not more than one-third may be unmarried women. Then we seek to abolish the system of what I may call arbitrary nomination in the colony. We continue the system of nomination in the colony, but we subject these nominations to a system of inspection as to the fitness of the persons nominated in the mother-country. The reason for this is that in the working of the immigration regulations it has been found that notwithstanding we say that the immigrants shall only come in a proportion corresponding to the population of the three kingdoms, Ireland has had one-half of the nominations. It has arisen in this way—nominations made in the colony by people from Ireland have been so far in excess of those made by the people from England and Scotland that they have absorbed nearly the whole of the money available by the regulation, and a considerable proportion more. The Agent-General had no means whatever of accepting emigrants from Ireland itself. I have laid on the table to-day a letter on the subject from the late Agent-General, and I will point out a passage in it inviting the attention of the Government to this anomaly in the working of the regulations. Writing on March 27, 1879, after describing what the immigration regulations are, the late Agent-General says: ‘But I find that in the six nomination-lists in the colony, from July to December, 1878, 483 Irish statute adults have been approved out of a total of 838 adults, being $57\frac{1}{2}$ per cent. of Irish, or nearly double the census proportion.’

That is, instead of only one-third being emigrants from Ireland availing themselves of this system of nomination by friends in the colony, the emigrants from that country are nearly double that proportion, or $57\frac{1}{2}$ per cent. of the whole. The Agent-General goes on to say, 'It will be evident to you that if such infractions of the rule be permitted in the colony, it becomes most difficult, if not impossible, for me to regulate properly the numbers approved here in such a manner as to ensure the proper proportions in making up the aggregate totals of emigrants nominated in the colony and selected in the United Kingdom.'

To show that this is really the case, I take the report of the Agent for Immigration, which was laid on the table the other day, and I find if we take the religions which pretty fairly represent the three kingdoms, that 1,470 Roman Catholics came out as compared with 1,649 Protestants of all denominations, or that the Roman Catholics were within 179 of the Protestants of all persuasions. This shows how this system of nomination in the colony works to bring about these great anomalies—indeed breaches of the regulations. It must be admitted, and I admit it to the credit of the Irish people, that the Irish are more careful to send for their poor relations than people from the other two kingdoms. That is highly to their credit; but it does not follow that, because of the existence of this virtue so greatly to their honour, we should assist in bringing about a result like that which I speak of, and which would in a few years entirely change the elements of the population. In dealing with this difficult and rather painful subject, though I express my opinion freely and strongly, I hope I do so without giving personal offence to any gentleman who differs from me. However, these regulations are framed with a view of insisting upon the proportion of immigrants from each of the three kingdoms corresponding with the proportion of the population. Permission will still be given for the nomination of immigrants by persons in the colony, but all those so nominated must be treated in just the same way, under the responsibility of the Agent-General, as immigrants selected by his own officers. They must be of the right age, they must be of sound mental and bodily health, and they must not be in excess of the proportions defined by the regulations, or they will not be admitted. The only other matter in the regulations which is new, is the obligation thrown upon the Government to send home a report as to the state of

the labour market every three months. The Agent-General will be required to be guided by this report so as not, when any trade is in a depressed state, to send out immigrants of that trade until he has received further advices. That, I think, will be a great assistance, and in many ways useful in promoting a sound and healthy system of immigration. I have before me the result of the working of the present system for the past four years, ending December 31, and I find by this return that nearly 6,000 immigrants were sent for by their friends. Now, whilst I object to the working of the present regulations in permitting the people of one kingdom to absorb the immigration grants so unfairly to the people of the other two kingdoms, I also admit, and have fully admitted, that there is great virtue in persons putting themselves to inconvenience, as they very frequently do, in raising money to send for their poor relations. I should like to ask whether, if the friends of these 6,000 who have come out during the last four years had felt that it was impossible for them to get employment, they would have sent for them? Would they have sent for them at their own expense? Surely that is an answer to the assertion that we do not want immigrants! Surely, if people in the colony belonging to the working-classes save up their shillings and sixpences to assist their poor relatives to come here, it is because they believe they are bringing them to a better country. I do not see how that argument is to be met. Surely it shows that those who understand the working-classes well, who understand their conditions much better even than those honourable members who profess to understand them, but who are withdrawn from them, do not think the country is over-populated! I say that if these people at their own expense, depriving themselves of little luxuries and necessities, provide the means of sending for their own relatives, that is an unanswerable argument against the statement that this is not the place for working-men. But where have the immigrants gone? During the past four years 20,000 have arrived in the country, about 5,000 annually. Where have they gone to? Do we hear much about dissatisfaction amongst them? It would be strange indeed if there were not one or two bush lawyers amongst 20,000 people. In the settling of a new country great hardships may be expected, privation and hard work must be encountered. All these things are incidental to the founding of a new country. They were just as prevalent and far more trying to the Pilgrim Fathers

than they have been to the immigrants arriving in this country. Making allowance for all that, there is every evidence that these people have, in a natural process, mingled with the rest of the population, and have advanced to their own satisfaction in their various industrial callings. By reason of the office I hold, I have not had the satisfaction of attending the meetings of the committee presided over by the honourable member for The Hunter. Time hardly ever permitted me to attend those meetings, and having lost the run of the business, I thought it better not to attend. I am told by the honourable member for The Hunter, however, that the committee can find no evidence to support the view that there are two or three men to be obtained where one is wanted, and I declare that I have never seen that state of affairs in my life in this country. I have mixed with various classes, and I have shared the hard brunt of labour with people who toil for their daily bread. I do not want to boast of anything of that kind; but I am not ashamed of it. Why should I be? I have toiled for my bread with as much privation and hardship as any person. When I arrived in this country, bread was 2s. 8d. per loaf, and potatoes were 4d. per lb. For a long time I ate bread composed for the most part of rice meal, because I could not afford to buy wheaten bread. I have endured toil and hardship as much as any working-man can possibly do. I must confess that I never was confined to working only eight hours a day; if I had, I do not suppose I should have been here to-day. Why, then, should I not have sympathy with the working-classes? Who would be bold enough to say that I have no feeling for them? I declare that there is no sight from one end of society to another which is more gratifying to me, which gives me a higher sense of the character of my countrymen, than to see a well-regulated, well-filled home among the working-classes. More than this—I say that the happiest, the finest, the best-regulated homes I think I have ever seen in my life have belonged to mechanics of the English labouring-classes. My sympathies are entirely with the industrial classes; and I say this without any personal object whatever. Nothing gratifies me more than to see any man steadily emerging from these classes by dint of his own perseverance and intelligence and habits of sober thought to a rank above that of the classes he has left. But I do not believe we can find any specific to convert all the working-classes into gentlemen. I do not believe that, and I never did. I believe there

must always be a large class at the foundations of society who will live by manual labour.

Mr. MELVILLE : They are none the less gentlemen.

Sir HENRY PARKES : Perhaps I was not quite understood in my use of the term 'gentlemen'; I used it in a very conventional sense. I think I have admitted already that there must be a great number of gentlemen among the working-classes—the truest of all gentlemen. But I was going to say that the real progress of the working-classes consists in their having leisure, means of education, and opportunities for the exercise of those faculties which will enable them to rise into some other class. In this country, on the right hand and on the left, wherever we tread, we find men of that character. The very centres of influence in this country are men who have risen by their own efforts from the great labouring-classes. I believe that applies to immigrants just as much as to any other class in the country. I have no doubt whatever that if the impossible were possible—if we could follow our immigrants and trace their daily life—we should find them steadily accumulating a wealth of comfort around them and acquiring the means, perhaps, of rising to positions of great influence in the country. Before I leave this return I should like to state the composition of the 20,000 persons who have arrived here in these four years. We find—of course this return applies only to male adults—that there were 4,725 farm labourers. These men, I venture to say, are scattered all over the country. Some few of them may have drifted away into the other colonies, but while they have done so a similar, and perhaps a larger, number have come from other colonies to us. Then there were 513 miners—that is, about 125 annually. They were miners of all kinds. There were 1,000 belonging to the building trades, and 598 belonging to the iron trades. I imagine that number would include blacksmiths, who would go into the country towns. I presume it would not be confined to engineers who are employed in the large works in this city; I imagine that it would include any who work in any way upon iron. There were 233 belonging to the clothing trades, 128 belonging to the provision trades, and 162 belonging to other manufacturing trades. Then, of boys over twelve years of age and men engaged in general trades, there were 676. It would be difficult to get a fairer proportion of the industrial classes of the old country than this, or a proportion which on the face of it seems more suited to the indus-

trial callings of the colony. Something was said just now by the honourable member for Newcastle as to the character of the immigrants. I have not had many opportunities of forming a judgment of their character, but I have been on board one or two immigrant vessels on their arrival. I have had special reason for visiting the vessels, and I declare that I have seldom seen a finer body of men and women than those immigrants. The Treasurer had occasion to pay more than one visit to the ship *Northampton*, which arrived the other day, and with regard to them he entertains the same opinion. I do not think the Treasurer would form a mistaken judgment of the character of men and women—as to their physical appearance and their general suitableness for the colony. This vote of 50,000*l.* will, under the new regulations, carry with it another 50,000*l.*, and that sum of 100,000*l.* will bring out 7,000 immigrants. Will anyone say that the addition of 7,000 persons to the population will be anything but a blessing to the country? I lay down this rule—of course it only expresses my opinion, and it is a thing which cannot be proved simply because one cannot prove what lies in the future—that if in this country instead of something like a million people—and I hope that number will be shown by the census to be taken next month—you had 4,000,000, and they were men and women of the right sort, every person who is in the country now would be better off for the increase. To a colony like ours there is nothing so valuable as human muscle, skill, and intelligence. It is impossible to pass through this country without observing in all directions property which is dilapidated and falling into decay for want of human effort. You may tell me that there are persons here and there, or that there is a number in a particular district, who cannot obtain employment.

Mr. MELVILLE: It is the case all over the country.

Sir HENRY PARKES: My answer to these statements is that you cannot find any city on the face of the earth where there are not some people out of employment. It is inseparable from our system of civilisation. Wherever civilisation exists, there will always be a large number of persons congregating in centres of population who, from one cause or another, often inexplicable, are out of employment. Go through Sydney or the country on any festive occasion, or on any occasion which assumes the character of a holiday, and you will find more people well dressed, having an abundance of all the comforts of life,

with leisure, with strong constitutions, and with every capability of enjoyment, than you will find in any other country in the world. You will not find such evidences of substantial prosperity in any other country. In most countries, not excepting the United States, shoals of people perish for want of the necessaries of life ; but do we ever hear of any case in this colony in which a person perishes from such a cause ? It is impossible for such a state of things to exist ; and, beyond all doubt, the country is yet so new, so full of resources, so full of unopened avenues of labour, that any person who has the requisite *nous* may carve out for himself a means of employment by which he may go on progressing until he is in an independent position. But, in all directions and in all times there will be a certain number of unemployed. A district may be in a state of stagnation, and may make no progress for a number of years—six, ten, or more years, perhaps—until some enterprising man with his wits about him goes into that district and sees sources of wealth where no one else saw them. He may see chances for industrial enterprise where no one else saw them, and he becomes an agency for the employment of other people, bettering the whole district. The more men of self-reliant character, of enterprise and industrial skill, we introduce into this country—as long as we do not introduce them in such excessive numbers as to cause anything like a glut—by such a gradual process as is now proposed, the better will it be for every man, woman, and child in the country. Our prosperity consists, and must consist, in the number of human souls—or, to put it in a more material way, in the number of capable hands and of thinking minds, in the store of energy and intelligence we possess, to convert the rude country into a land of fruitfulness and plenty. Our prosperity must depend upon that, and the more people we can get the better for us. What is the grand criterion by which we distinguish between the more important and the less important of the colonies in this group ? Every country of our stock which has entered on the broad path of nationhood has made every exertion in its power to bring population to its shores. We are told that the United States do not pay for their immigrants. I say that they do. They alienate their lands in a manner calculated to induce people to go there. Is not that the same as paying for them from the proceeds of land sales ? Now, I for one would not favour the idea of introducing a number of people here to settle all at once upon the public

lands, or all at once to follow any vocation in the country as employers. I have invariably advised those who have been introduced to me—and for years past a number of persons have brought letters of introduction to me from the mother-country—even where they had money, to make a point of obtaining employment at first, in order to learn the ways and usages of the colony; to understand the population and the opportunities of embarking in some pursuit on their own account. Even men of good family, who have brought letters of credit for large amounts, I have advised to obtain employment in the first instance. I say that a system of immigration which brings people here, and, in the first instance, distributes them into the avenues of labour, is the best system. The better class of persons will soon find a way to emerge from these avenues of mere manual labour. The doctrine of the Darwinian philosophy as to the survival of the fittest applies here in an eminent degree. The fittest will prosper most, and, of course, the unfit will have to go on in the walks of manual labour. But this state of affairs is in no way affected by a part of the passage-money being paid by the State. Why do we propose to pay a part of the passage-money? Because on account of the costliness of the journey we stand no fair chance in competing with either Canada or the United States for the redundant population of England, unless we assist that population. Are we justified in this expenditure? Is it a good thing to introduce new population? Of course I have nothing to say to those gentlemen who would build up a wall round the country and treat all outside as foreigners. I have nothing to say to those who think that this country belongs to them, and to them only. I say that it belongs to every man and woman who acknowledges the empire of our Queen, and that the territory of this country will be just as much theirs when they come here as it is ours. If the country wants new population, I say that new population which is partly assisted by the State is just as valuable as new population which is entirely paid for out of its own resources. I said, in an early part of my speech, that some of those who are opposed to paying away public money for the introduction of immigrants would be opposed to immigrants coming here altogether if they had the opportunity.

Mr. MELVILLE: Who says so?

Sir HENRY PARKES: I suppose the honourable member would say so.

Mr. MELVILLE: Never.

Sir HENRY PARKES: Then I have the honourable member's denial. He admits that it is a proper thing to have new population.

Mr. MELVILLE: At their own expense.

Sir HENRY PARKES: He admits that it is a good thing for population to come here?

Mr. MELVILLE: If there is anything for them to do.

Sir HENRY PARKES: Does the honourable member mean that this colony is not a place where they can find employment?

Mr. MELVILLE: I say that at the present time there is no employment for the people you wish to bring here. There is a large number of unemployed, and you want to overcrowd the market.

Sir HENRY PARKES: I want to ascertain the honourable member's views upon this one point. Is he prepared to admit that there is room for any persons if they come here at their own expense?

Mr. MELVILLE: At the present time there is not sufficient employment for people who are inclined to work.

Sir HENRY PARKES: Then he says that we do not want any more?

Mr. MELVILLE: At the present time.

Sir HENRY PARKES: If we do not want them now we most probably never shall want them, for we are in as great a state of prosperity now as we were last year or are likely to be next year. If there are many gentlemen holding the views of the honourable member for Northumberland, their condition is simply hopeless; they are irredeemable, they are beyond conversion. They say that with a population of 900,000 upon a territory which could support 9,000,000 we do not want a single soul more. I have nothing to say to them. If the honourable gentleman admits that it is a good thing to have new population at their own expense, then I say that, if it is good in that degree, it is good in a greater degree. If the population is good when brought at its own expense, it is equally good when brought partly at the expense of the State. The honourable member for Newcastle (Mr. Fletcher) says we have no right to tax the people to bring others here to compete with them in the labour market. I say we are not taxing people to bring others here. We are simply employing a portion of the proceeds from the alienation of the territory to introduce people who by a gradual process and natural course of events will settle on the

land so alienated. By no other means can you attempt to build up a great nation. You cannot have a nation without people.

Mr. MELVILLE : We can have it by wise legislation.

Sir HENRY PARKES : I should like to know what wise legislation would be of any avail in the absence of people. If the honourable member means that we are to rehabilitate the country by protective laws, he is introducing an element which I decline to discuss now. I contend, in the face of everyone, that in a new country like ours it is a wise course of policy to introduce as many persons as you can, provided they are of industrious habits, and of sober and steady character, and that you do not introduce them in such numbers as to paralyse the industrial operations of the country. There is no fear of any dangerous results from the proposals now made by the Government. They will have a salutary effect in infusing new blood throughout the ramifications of society, and the consequence from all reasoning from probabilities would be to give more employment to those who seek it, and to add to the prosperity of all classes of the people. I hope that the example set by the honourable member for Newcastle, and, I think, by myself, of trying to say the most we can from our points of view, will be followed, and that we shall not have this question, which is simply one of national policy, warped by an attempt at obstruction, or to bring about ridiculous reductions. Let us fight the battle out fairly ; let opportunity be given to every man to vent his opinion ; and let those who are elected here to represent the whole colony, arrive at a decision. That is all I ask ; with these observations I submit this vote. I do not intend to address the committee again, unless to answer any inquiry which may be made, for I think I have already said as much as I need say.

I have given this speech because it fairly states the case for immigration from my point of examination, and because the interruptions by Mr. Melville supply a good illustration of the untenable position taken up by its opponents. Mr. Melville appeared as one of the members for a coal-mining constituency where the feeling against all new-comers was too earnest to be disguised. It would have cost him his seat if he had ventured to support immigration. But the debate which followed

upon my proposal showed that other members were beginning to modify their opinions to meet the prejudices of those least capable of reasoning justly on the subject. In the end my estimate was reduced by 10,000l.; and since then little has been heard of assisted immigration. It is a disastrous mistake. The progress of the country for many years to come could be best assisted by new population. Nothing can arrest Australian progress, and as imaginary stages of an advance not actually before our eyes will never be taken into account, we shall have no means of comparing what might have been with what is; but the thoughtful will need no argument to prove to them how much greater Australia might have been to-day if it had not been for the narrow and selfish policy of those who seek to deny to civilisation itself its principle of evangelising brotherhood. If there is a land under the sun which ought to offer a home to all good men, it is Australia, and if in any land good men are wanted to assist in securing the fruits of freedom and civilisation, it is in Australia. Yet there are to be found men blind enough to resist in the noble work of making a nation the support of their fellow-countrymen.

On the question of military defence, I took up the position that even if it were advisable to depend upon imperial troops, the colony could not afford the cost of the maintenance of a sufficient number of men, and that compulsory inactivity in a colony must necessarily prove prejudicial to efficient training and discipline, and that such defence would always be liable, in times of national danger, to be withdrawn to meet the exigencies of the Empire. I illustrated my arguments by examples chiefly drawn from America; and while I always combated the views of those who held that we needed no defence at all, that 'nobody would ever attack us,' I urged that we must depend upon ourselves for our security.

Early in the third Parliament, on December 20, 1859, I moved the following resolutions :—

That this House, having had under its consideration the subject of the defence of the colony, resolves as follows :

1. That having regard to the present complications of foreign Governments, and the hold which the great maritime powers have in the seas of this hemisphere, it is impolitic and unsafe to neglect the means of preparation at our command for protecting the colony in the event of its being attacked by an enemy.

2. That the maintenance of regular troops in the colony for its protection is unwise in policy, and cannot be effective without becoming an excessive burden on the public revenue.

3. That the true principle of military defence, and the only course which would ensure effective resistance in extreme circumstances, is to habituate the subjects of the Queen in this colony to the use of arms, and to foster among all classes a loyal and patriotic spirit of reliance on their own valour and military organisation.

4. That any opinion herein expressed is not intended to apply to the protection afforded by Her Majesty's ships of war in the Australian waters.

At this time there was a widespread apprehension in England as to the designs of Napoleon III. Lord Lyndhurst had just made his stirring speech in the House of Lords on the activity in the French dockyards and the perfidious and aggressive character of the new Empire. Tennyson was fanning the national uneasiness by the bellicose lyrics :

Riflemen form ! Riflemen form !

I copy some extracts from my opening speech :—

It was scarcely possible to attach too much importance to the necessary provision for protecting their national honour as a British community. Nor was he amongst those who thought that the time of hostility and warfare amongst the nations of the civilised world had passed away. Looking to the advance of arms in Europe, and to the unscrupulous character of particular Governments, they might be fully pre-

pared to anticipate any aggression that was practicable from those powers; since the only considerations about such an aggression would be the probability of its success, and whether success would contribute to the end those powers had in view. That this danger—the danger of a rupture between the parent land and some one or more of the Great Powers of Europe—was admitted by persons most competent to form an opinion on the subject he should be prepared to show. But the most satisfactory way of proving this would be for him to lay before the House the opinions of men entitled by their experience and standing in the political world to be accepted as authorities. He should not attempt to detain the House with any discussion to prove the value of these authorities, but should confine himself to quoting from the speeches made in the House of Lords by Lords Lyndhurst and Ellenborough. The powers from which danger was to be apprehended were France, in the event of a rupture with England, and Russia in connection with China, although that was a more remote contingency in point of time; but the danger of a rupture with France was imminent, and the relations between the two countries were uncertain from one day to another—whilst from intelligence received mail after mail it seemed to be an almost universal opinion that war would not be averted.

After quoting from Lord Lyndhurst at some length, including the old statesman's noble words—'I will not consent to live in dependence on the friendship or the forbearance of any country. I rely solely on my own vigour, my own exertion, my own intelligence'—words containing eternal truths for the free life of nations, I continued my speech as follows :—

Let them look at the situation of the colony. We had at the present time an artillery corps, containing a trifle above a hundred men, who were supplemented by the infantry at the barracks, making the number altogether about 583 men. Now he could not believe that in any attack that might be made upon the colony this force would be of much avail to the community. He had every confidence that these men, before an army of soldiers sixfold their number, or perhaps a greater proportion, would do their duty; but he thought they would lead a very forlorn hope, and the result would be their own

destruction without any protection to the country. The cost of these men, comparatively speaking, was enormous; the sum placed on the estimates for the payment of the 583 men was no less than 16,308*l.*, and we were paying only the artillery in full, giving an allowance to the infantry in barracks. So that for this distant colony the cost of a very small and inefficient force was 16,308*l.* It struck him very forcibly that a long residence in a colony was not the best possible mode of discipline for regular troops, and he should scarcely be inclined to expect the same amount of efficiency in troops lying idle in the colony for a number of years as in those under a more regular employment, and who had more frequent opportunities of going into active service. But be that as it might, these regular troops were not formed of a different class, of a different nation, of a different birth, of a different material from the common population of the colony. They were recruited—as all persons acquainted with recruiting operations in England would know—chiefly in the English towns; and there was nothing in the circumstances or condition or character of the men who formed the standing army of England that could place them in a better position for effective service than any body of our fellow-colonists who might be enrolled and disciplined in the same manner here upon an altogether different principle. If this system continued we must have a sufficient number of these troops in the colony for the effective resistance of such a force as would be sure to be collected for an organised attack on the part of any of the great maritime powers; and thus, by incurring an enormous expenditure, unnecessarily burden the resources of the colony. There was no argument that he could discover why an Imperial force should be more effective for the purposes of defence than a force composed of residents in the colony. That we ought to raise such a force he did not think required any argument. Even the advocates of the Peace Society in England deemed that England ought to be placed in a state of effective preparation against attempted invasion. Both Mr. Bright and Mr. Cobden had within the last few months expressed their opinion that the country ought to be placed in an effective state of defence; and this being admitted so generally, argument was not required to show its necessity here. The question he wished to raise was whether it was advisable to create a force of our own by enrolling the inhabitants of the colony, or to depend upon the armed forces that were eating out our vitals without contributing

to our industrial powers or being of sufficient strength for our defence.

A lengthy debate took place upon my motion, and an amendment by the Premier was carried, substituting for the second section the following words: 'That the maintenance of regular troops in the colony ought to be supplemented by the formation of a national militia composed of citizens of the country.' In this amended form the resolutions were agreed to by 42 to 8 votes.

It may be fairly said that this decision of the Legislative Assembly implanted the patriotic principle of self-dependence in the system of military defence throughout Australia. The principle had to contend with disfavour and ridicule for some time, but the Volunteer movement through several changes grew steadily, until the force in every colony may be regarded as a little 'citizen army.' Some ten years after my motion in the Assembly, Sir Charles Cowper (the Premier of New South Wales), proposed to the Imperial Government to retain in the colony four companies of infantry at an increased rate, on the condition that they should not be withdrawn in a time of war. This was the last effort of the old spirit of former days clinging to the Imperial arm. But the Secretary of State, Earl Granville, sent the following depressing answer:—

Although Her Majesty's Government readily acknowledge the reciprocal duty of defending every portion of the Empire, and that a colony which pays for the presence of troops during peace may fairly expect that they should not be removed during war except under the strongest necessity, yet the exigencies of a state of war are so unexpected, and the necessity for entire freedom of action so great, that it would not be possible for them to give a pledge to that effect.

A few years later still, another Secretary of State (the Earl of Carnarvon) proposed to return to the former system of defending the colonies by Imperial troops. I will deal with this proposal when I come to

the proceedings of the first Ministry formed by myself, and the state of affairs then and during the next few years. At this time the proposal was warmly favoured by the well-to-do classes. 'Let us pay for Imperial troops and feel safe,' was the substance of the opinions often expressed by those whose first consideration and chief glory are in their worldly possessions—the men who, I fear, are to be found all over the world, who believe that money can purchase anything, from a family pedigree to a 'reserved seat' in Heaven.

During my service in the early Parliaments I paid much attention to the means of ocean communication. Looking to the geographical position of New South Wales in relation to the other colonies, and to the important islands of the Pacific, I was among the first to advocate the trans-Pacific route, the idea in those days being to cross the American continent by the Isthmus of Panama. The gigantic trans-continental railway systems which now pierce the United States and the Canadian Dominion, connecting the Pacific with the Atlantic Ocean, had not then assumed form in the speculations of enthusiasts. But the short land journey from Panama to Aspinwall seemed ready made by the hand of Nature. One or two steamships made experimental passages, and eventually two successive companies were formed in England to establish the service between Sydney and Panama *via* New Zealand. Years before this was attempted I moved in the Legislative Assembly, on August 6, 1858, the following resolutions:—

1. That the experience hitherto gained of steam communication between Australia and England *via* India has led to general disappointment and dissatisfaction in this colony.

2. That any new arrangement for the performance of the mail service by the India route, though it ensured postal regularity and speed, would confer no other considerable benefits on New South Wales, while it must necessarily place this commu-

nity, as the last point of intercourse in the Australian system, at a permanent disadvantage in relation to the Southern colonies.

3. That it is in the highest degree necessary that immediate steps should be taken to prevent the public inconvenience and injury which would result from a total stoppage in the mail service, with which the colonies are at present threatened, and that the interests of New South Wales would be best promoted in this emergency by opening communication with America and Europe *viâ* the Isthmus of Panama.

4. That there are reasonable grounds for believing that a line of steamers of the requisite power and capacity, running between Sydney and Panama, in addition to the advantages of regular postal communication, would induce a spontaneous and valuable passenger traffic to these shores from the large numbers of persons constantly arriving on the Isthmus from the United States, British North America, and the West Indies, as well as from the countries of Europe and from the communities of Anglo-American origin in the Pacific.

5. That in coming to a right determination on this subject the question of cost is not the first for consideration, but that the efficiency of the service to be performed should be secured beyond probability of failure, and that especial regard should be had to those social and commercial consequences which would tend most to the progress and prosperity of the colony of New South Wales.

I give some extracts from the speech by which I supported my motion. To be fairly considered, they must of course be read without reference to the progress of steam navigation across the Pacific since that period:—

Mr. PARKES, in moving the resolutions standing in his name, said he hoped that however inefficiently he might treat them, the importance of the subject would at least commend them to the attention of the House. He should endeavour to be as brief as he well could, and the decision to which the House was invited must have an effect one way or the other, for good or for evil, to determine not simply the relative prosperity of this colony, but its position as a country in the new empire now in course of being founded in this hemisphere.

He submitted these resolutions not alone as involving the question of postal communication with England ; they might be supported upon different and far higher grounds affecting the future character and comparative greatness of the country. It had always seemed to him that the question of obtaining regular means of communication with the Isthmus of Panama included the question of a supply of that element without which the progress of this country would be slow and unsatisfactory—the element of fresh streams of industrious, enterprising population. Although desponding views might be taken at a time of temporary distress like the present, though loud might be the cry among some classes against immigration, it was only by means of a large amount of population that the colony could rise to its true place and its people enjoy permanent prosperity. He was one who thought that immigration to the country would be healthy just in proportion as it embodies in its volume a due proportion of capital and labour to carry on the operations of civilised society ; and for that reason he thought a great advance would be made on all former systems if it were entirely voluntary and of a spontaneous character. In that case, if they could offer sufficient attraction, and if other circumstances combined to direct the great movement of population to these shores, they would receive the most enterprising and the most self-reliant class of persons, those who have made provision to assist themselves ; but so long as immigration continued to be promoted chiefly by the funds derived from this side it would consist of persons to a large extent the least provident, the least energetic, the least qualified, and therefore the least capable of assisting in the advancement of the colony.

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This country had little in common with the inhabitants of the Asiatic countries. Beyond taking from them supplies of tea, sugar, and spices, they had scarcely any commerce with those countries ; they had very little of social affinity with any of the populations of the East ; their only connection with the Eastern world was one of Imperial policy. But these objections would not apply to the trans-Pacific route. It would be found that there were many reasons, which he would touch upon presently, why they should desire that the route he proposed should be opened. To a very large extent it appeared to him that the establishment of steam communication with India was an Imperial question. It was to the interest of the British

Government to keep up rapid communication with India for political reasons, but those reasons did not affect this colony. It was most desirable that rapid and frequent communication should exist between England and the East, and of course any branch steam service that would tend in any degree to support the lines of communication between London and India would be of very great service to the mother-country; but he contended that the Australian colonies had scarcely any interest in maintaining a line of steam communication *via* India, except so far as it might be made an efficient and rapid means of postal communication, and at the same time to some small extent a convenience for the purposes of their Indian commerce. But a great objection, in addition to those already stated, existed in the case of this colony on account of its position rendering it absolutely necessary that it should always be the last port of arrival and the first of departure, and therefore placed at a greater postal distance from Europe than the sister communities.

He affirmed that it was to the interest of this country to get such a means of communication established at the earliest possible moment; and if it were to the interest of the country to do this, the necessary cost was not the first thing they should regard so long as there was no waste. Being determined by this means to maintain the colony in a leading position, they should secure this end without a niggardly regard to price so long as they secured efficiency in the performance of the contract, without which it would be comparatively useless. For his own part, he thought that if this could not be obtained at less cost, it would be wise for the House to vote half a million of money to have this communication established without the possibility of interruption. He believed, so far as the subsidy was concerned, it would be wise to give whatever sum was necessary to have this communication in their own hands; and, depending—as they might reasonably do—on receiving a contribution from New Zealand, and perhaps something from the Southern colonies, it would not be a very costly undertaking for the Government of this country. But he felt persuaded that the cost would be as nothing compared with the benefits to be derived, not only from the improved means of postal communication and the additions to our population, but from the new spirit which it would be the active cause of in-

fusing into the commercial enterprise and social life of the colony. They had here a country richer than any other of the colonies, notwithstanding the rapid strides which Victoria had made in colonising enterprise. The natural resources of New South Wales were inexhaustible : its varieties of soil—its marvellous wealth of minerals—its many other advantages—made it second to none. And this highway across the Pacific seemed pointed out as by the hand of Providence to connect them with other countries—other countries, too, where the grand experiment of founding new empires, with a common origin and a common destiny, was going on. Those lands must be the teachers of this, for in no other part of the world were English liberty and English commerce transplanted to work out their ends on a new soil.

In my early parliamentary life I made it a rule in dealing with votes for the improvement of the interior—though I was one of the members for Sydney—that my support should be given to the proposed work, unless I was in possession of information which satisfied me that it was not a justifiable expenditure. Men of this generation in the colony can hardly conceive the state of the roads, and of the bridgeless creeks which dwellers in the country had to face in those days. Next to its public-school system, the improved means of communication throughout the vast territory is the most creditable fruit of responsible government in New South Wales.

I gave my support to the Electoral Bill of the Cowper Government, voting with Ministers in nearly every division. This Bill passed into law, largely extending the franchise, more equally dividing the colony into electoral districts, and establishing the system of secret voting. I also gave my general support to the Robertson Land Bill, which passed through a determined opposition, and became law eventually, after the violent expedient of ‘swamping the Upper House,’ which swamping, however, had no practical or immediate effect, as the old members,

including the President, retired in a body when the new members attempted to take their seats. By the constitution the first Council was appointed for five years only,¹ and the term was near its expiration when this historical incident occurred. So nothing could be done with the Bill, or anything else, until the next Council was appointed, whose term was for life. In giving my general support to the Robertson Land Bill, I took strong exception to the principle of 'deferred payments' and to the provision for selling 'back lands' at five shillings per acre. I urged the view that it would be unwise, and not free from danger, to place a large class of citizens in the industrial walks of life in the position of Crown debtors; that the Government had already an embarrassing class of Crown tenants, and that, if we added to that class a still larger class of Crown debtors, who owed to the State the balances on their purchases of land, it must tend to sap the political independence of the population. I went much further, and argued that, if men took up small holdings of forty, eighty, or 120 acres, and lived upon the land, and turned the soil to the best account both for themselves and society by systematic and productive cultivation, they were entitled to the freehold on the first payment of five shillings; and that the sense of absolute ownership would sweeten their labours, and breed a feeling of mingled pride and contentment in our peasant proprietors. At the same time I opposed the proposal to sell the 'back lands' at five shillings per acre, as that vague description would include much of the finest soil of the territory, while so reckless a mode of alienation would only facilitate the accumulation of large estates, and encourage mere land speculation.

¹ Mr. Wentworth, in the debate on the Constitution Bill, stated distinctly that he limited the first appointment to five years, to enable the people, if the nominee principle did not work satisfactorily, to introduce the principle of election.

Mr. PARKES said: He denied the sound policy of a free trade in the public lands of the colony. He drew a wide distinction between the nature of those lands and the nature of personal property. The Legislature, in dealing with the virgin lands of the colony, was bound to consider what would be the effect upon society in all time to come of the mode in which those lands were now alienated. No doubt land ought to be open for disposal to all who desired to purchase, but its disposal did not stand on the same footing as other property created by human labour and skill. The amendment he now submitted would give the free selector, who should effect the required improvements, the land in fee-simple without any further payment than the first five shillings deposit. No stinted liberality ought to characterise the manner in which they approached the question of the alienation of the public lands to that class of colonists who, by their industry and discernment, would make them most productive for the whole. When they were satisfied that there was a *bonâ fide* purpose to improve and cultivate, all further payment should be remitted. It was doubted by many hon. members whether payment would be made if the system of deferred payments were adopted—[Mr. ROBERTSON: Not by me]—at all events, there was provision made for such payments standing over for an indefinite period. He contended that no persons ought ever to be placed in individual and direct subordination to the State—in a relation different from that occupied by other classes. Under all the circumstances the justice of the case recommended the adoption of a wise liberality in dealing with this part of the subject.

During the debate one of the Ministers (Mr. Arnold) argued that the accumulation of the unpaid balances of the conditional purchasers ('deferred payments') would 'enable the State to raise by a sound system of borrowing the money required for public works.'

Mr. PARKES continued: The committee would not have failed to notice how the Government had changed their ground in reference to this Bill. Hitherto the principle was not to derive revenue from the sale of the lands, but the greater, though more remote, advantage of settling the people on the soil. Now, however, the Government based their arguments on the money

value of the land. The committee must decide whether they were going to lend themselves to create an interminable class of Crown debtors in the country—upon whose indebtedness loans were to be contracted: for the Government contemplated paying for their railways out of the proceeds of those debts which were to remain for ever! [Mr. ARNOLD: At the option of the debtor.] The way to obtain railways was not by the miserably inadequate revenue to be derived from the land itself, but by increasing the population, and by the consequent natural increase of the revenue from the legitimate extension of taxation over as wide a surface as possible. The course pursued by the framer of the Bill could only be defended on the ground that these sales to free selectors were special and for special objects. Notwithstanding what had been said by the hon. Secretary for Public Works (Mr. Arnold), he should think that a free selector would not fail to appreciate the difference between the semi-serf condition which it was proposed to create for him and the possession of the fee-simple of his land. Under the conditions proposed, would the persons who free-selected land know whether they were living under the blessings of the hon. gentleman's Government or under the Czar of Russia, when they had to go year after year with their 9*d.* per acre to some Government official, while they called land their own which was in fact not their own? The advantage to be gained by the State from insisting upon this money balance from the free selectors would be trifling and embarrassing, and the provision would take away, to a great extent, the sweetness of possession, which it should be one of the objects of their legislation to encourage the free selector to desire.

In the light of our experience of the operation of the Land laws, I look back with some misgiving as to the wisdom of my opposition to the system of 'deferred payments.' Not that I entertain any doubt of the soundness of the principles I advocated, if we could have been sure of the *bona fides* of the men who free-selected land under that provision of the Act of 1861. But in a short time a system of 'dummying' grew up, by which men fraudulently got possession of large tracts of the choicest land with only a mock compliance with the conditions of the law, and in direct contravention of its spirit and intention.

The following are extracts from the speech in which I opposed the provision for selling 'back lands' by auction at an upset price of five shillings. The clause was negatived on division, the Minister himself voting against it:—

Mr. PARKES: He should give his vote so as to continue the upset price—if they were to continue to sell lands by auction—at 1*l*. This might appear inconsistent with the course he took last night, when he moved an amendment to remit the balance of 15*s*. for land taken up under free selection, but on that occasion he acted on the special grounds that those who free-selected land would enter upon it under conditions enforcing them to its improvement. But here it was proposed to pass a provision which would open the door to mere trade in land—a thing entirely different from possession on condition of cultivation and improvement. It seemed to him that the class of persons they should encourage above all others by their legislation was that of small cultivators of the soil—men who by their industry would turn the land to the best possible account. If, however, they were to reduce the price in alienating the land to 5*s*., they would open the door to great abuse. The only argument in support of such reduction was that some of the land was not worth 5*s*. But that argument might lead to the adoption of an upset price of one penny, because he believed that there was land in this country not worth having at a gift on terms of compulsory occupation. Five shillings per acre would not reach the real minimum; it would only be an arbitrary price. What they had to fear under this provision was that some of the richest and most valuable tracts of land would be alienated as inferior land. The condition of this country was likely to facilitate such abuse. We had here a number of old and wealthy families with numerous connections—numbering, in some instances, as many as one hundred persons. In addition to these we had another class—the pastoral tenants—who, by reason of their pursuits, had also a practical acquaintance with the country. So that, although we were a small community, we had among us a comparatively large number of wealthy people, who had the colony, as it were, at their fingers' ends. And this clause, just as though it had been framed on purpose, would suit the purposes of those speculative persons.

He believed that this provision of the Bill, if carried, would not have the effect of alienating from the Crown land which was not worth more than 5s., but it would be operative in alienating land in the highest degree valuable, but the valuable qualities of which would be known only to a few persons at the time of sale. It seemed to him very inconsistent to take such a course as that when they had extracted the 20s. per acre from the *bonâ-fide* cultivators. Surely, in alienating the public land for the good of all, they ought to consider the use to which it was to be applied. They were not to obstruct the operations of the capitalist in any way, but, at the same time, it was no part of their duty to smooth the way for his making a large fortune out of the public lands.

Sir John Robertson's Act did immense good. Its broad scope was to enable men to select land for themselves in blocks from 40 to 320 acres, at 1*l.* per acre, without waiting for any surveyor or other Government official, but subject to the conditions of a deposit of five shillings per acre, actual residence, and improvements to the value of one pound per acre in value. The balance of the purchase-money was to remain for a time, not limited by date, at 5 per cent. interest. It is no figure of speech to say that this law unlocked the lands to the industrious settler, and notwithstanding the abuses which too widely grew up, it was the means of bringing into existence hundreds of comfortable homes in all parts of the colony, where the name of its author is held in grateful remembrance. It will have been seen in a previous chapter what a network of difficulties surrounded the man of small means who tried to obtain a rural home in former years; and perhaps the highest tribute to the memory of Sir John Robertson is that, after all the amendments which have been carried, the chief principles of his Act are still embedded in the law of the country.

After the battle for unlocking the lands had been in reality fought and won, in the midst of the last act of the drama, I embarked for England, having lived in the colony upwards of twenty-two years.

CHAPTER VI

VISIT TO ENGLAND AS COMMISSIONER OF EMIGRATION IN 1861—
LABOURS IN ENGLAND AND SCOTLAND—ACQUAINTANCE WITH
THOMAS CARLYLE, RICHARD COBDEN, THOMAS HUGHES, AND
OTHER DISTINGUISHED MEN IN 1861-2—THE CIVIL WAR IN
AMERICA—DEATH OF THE PRINCE CONSORT.

IN 1861 I carried a resolution in the Legislative Assembly in favour of two persons with a good knowledge of the colony being sent to England to make known its advantages as a field for emigrants. The late Right Hon. William Bede Dalley (then a young man) came to me to urge me to accept one of these appointments, in which case, he said, he was prepared to accept the other. I assume that he had ascertained that we could be appointed if we chose to accept. After some consideration, and several consultations together, we decided to go to England on this errand, and we received commissions from the Government accordingly.

The following correspondence explains the nature and terms of the offer made to myself, and of its acceptance :

Department of Lands, May 11, 1861.

My dear Mr. Parkes,—It is the intention of the Government to appoint forthwith, at a salary of 1,000*l.* a year and allowances, two gentlemen, to proceed to the mother-country as Commissioners of Emigration; and my colleagues and myself are desirous of placing one of those appointments at your disposal. Will you, therefore, say whether or not you are willing to comply with our wishes? It is unnecessary for me to describe for you the nature of the duties of the office, as the proposal, sanctioned by Parliament, originated upon your own motion.

It may however be proper to mention that a similar communication to this has been made to Mr. W. B. Dalley.

I am, &c.

JOHN ROBERTSON.

Mr. Henry Parkes to Secretary for Lands.

Sydney, May 18, 1861.

My dear Mr. Robertson,—I beg to acknowledge the receipt of your letter of the 11th instant, offering me, on behalf of yourself and colleagues, the appointment of Commissioner of Emigration in England.

After mature consideration I have determined to accept the appointment, principally with the hope that I may be of material use in successfully carrying out the important undertaking sanctioned by Parliament. I beg the Government to accept my assurance that I shall enter on the duties of my office with an earnest and anxious purpose to disseminate a correct knowledge of this colony, to exhibit its real advantages as a field for the better class of emigrants, and to raise its reputation in the estimation of the British people.

I have this morning resigned my seat in the Legislative Assembly, and shall be prepared at once to receive the instructions of the Government, and to proceed to England by the first opportunity.

I have, &c.

HENRY PARKES.

We joined the steamship *Great Britain* at Melbourne, and arrived in Liverpool on August 4, after a very fair passage for those days. Mr. Dalley and I commenced our labours without loss of time. We took an office in London, and divided the field of our operations; Mr. Dalley selected the Home Counties and Ireland, and I took the West and North of England and Scotland. As no funds were placed at our disposal for the conveyance of emigrants to the colony, our duties were confined to diffusing information respecting the colony and answering enquiries. For these purposes I held meetings, about sixty altogether, in such large centres as Birmingham, Leicester, Nottingham, Derby, Leeds, Manchester, Glasgow, and Greenock, and in many small country towns in the agricultural districts; and everywhere I had crowded audiences. Among the chairmen at these meetings were Lord Lyttelton, Sir

John Pakington, Sir Thomas Bazley, and many other influential persons of the time. If I could have given free passages, I might have sent out to the colony 10,000 emigrants. Mr. Dalley's meetings were, I believe, equally successful in point of numbers and unanimity, though I was never able to be present, being always in a different part of the kingdom. Though at this time the cotton famine was raging in the North of England through the blockade of the Southern States, and thousands of families were destitute, I found little sympathy for the cause of emigration among the class of large employers, or on the part of leading persons of the middle class generally. A few noblemen and philosophical reformers, and men connected with the colonies, were the principal promoters. The gentlemen forming Boards of Guardians and similar bodies were all for getting rid of the unthrifty and troublesome, and keeping the steady and industrious at home. The first letter I ever received from Mr. John Bright was in reply to an application which I had made to him to preside at one of my meetings, and it was as follows :—

Rochdale, September 7, 1861.

Dear Sir,—Before you return to your adopted country, I may have the pleasure of meeting you, should you be down in this neighbourhood or when I am in London during the Session of Parliament.

I cannot do anything in reference to your purpose of encouraging emigration from England. I have no doubt you will find persons willing to go away, but the argument for emigration is now much weaker than it was some years ago. There is now more demand for labour, and wages are generally much higher. In this country there has been great difficulty of late in keeping machinery at work owing to the scarcity of labour. Still it is wise for men to emigrate; but the case does not appear to me to require or to justify any special interest in it, or any effort to promote it on my part.

I am, truly yours,

Henry Parkes, Esq.

JOHN BRIGHT.

For fourteen months I worked hard in the mission I had undertaken, and though no visible stream of emigration flowed or could flow from the joint services of Mr. Dalley and myself, as each emigrant had to find his way out to the colony at his own expense, I have met many persons who brought character and skill and capital to New South Wales in consequence of our labours.

Some of the incidents at my meetings were curious and sometimes comical, but everywhere an earnest attention was paid to what I had to say. The chairman usually enquired whether anyone in the audience desired to ask any questions. On one occasion I was asked, 'Is there any mosquitoes in that country?' At another time a gentleman, after a long pause, asked if I knew Tenterfield, 'because,' said he, 'I have got a son there.' At one meeting I had stated, in enumerating the live stock in the colony, that we possessed upwards of 2,000,000 of horned cattle, and in explaining the price of the necessaries of life, I had quoted the retail price of milk. A grave man in the audience asked me triumphantly how I could reconcile the two statements—2,000,000 of horned cattle and milk 8*d.* a quart? The work introduced me to many men of very interesting character; the late Mr. Charles Holt Bracebridge of Atherstone, Lord Hatherton of Teddesley, Mr. Podmore of Worcester, Sir John Pakington, and others, who made my stay at their hospitable houses very gratifying.

When I was leaving Melbourne, Charles Gavan Duffy gave me notes of introduction to three eminent men in London, one of whom was Thomas Carlyle, in whose estimation, as I discovered afterwards, the Young Ireland leader had a warm place. I sent my note to 5 Cheyne Row through the post. In two or three days I received the following:—

5 Cheyne Row, Chelsea, October 2, 1861.

Dear Sir,—We shall be happy to see you on your return to town. Tea is at 8 P.M.; in general my wife and I lean over it, and nobody else. Have the goodness to name some evening that will suit you—and then come, if *you* hear nothing to the contrary.

In haste,

Yours sincerely,

T. CARLYLE.

On coming up to London some days afterwards, I wrote to Mr. Carlyle, naming an early evening, and ‘hearing nothing to the contrary,’ I found my way to Chelsea, and with a strange feeling of mingled curiosity and reverence, I knocked at the famous door from which celebrities were often turned away. My knock was answered by a demure young person who at once ushered me into the presence of the grim philosopher and his gentle wife. The evening meal was of the most frugal—thin cakes, I think of oatmeal, and a cup of richly-made tea. After tea my host sat down on the floor with his back straight up against the wall and his legs stretched out at full length, and, charging and lighting a long white clay pipe, he happily puffed away, stopping at short intervals to talk on all manner of things in the style of one of his later books. He spoke unreservedly of great men whom he had known, and he asked many curious questions about Australia, which showed the original light in which he viewed some well-threshed-out subjects of colonisation. For instance, he contended that, if governing men could only free themselves from the trammels of custom and be truly wise, they would remove the Sovereign and the Court and all the machinery of Government to Australia, where the field for national life was so wide, attractive, and unencumbered, and so leave the contracted spaces and the murky atmosphere of England behind them. Of modern statesmen he spoke most approvingly of Peel,

and in bitterest terms of Lord Melbourne. Alluding to the alleged compact between the Melbourne Ministry and O'Connell, he said that a British statesman, inspired by true patriotism, would have addressed the great Irishman thus:—'What! I rule England with your aid? No, I'll hang you as a public enemy!' He spoke of America and of the Civil War then raging, which subjects were renewed again and again in later conversations. He said he had met Daniel Webster when in England, and regarded him as a great man. Something brought up the name of Mr. Howe of Nova Scotia, who was on a visit to England, and of whom he spoke very favourably.

In this first visit to Cheyne Row, nothing could excel the charming manner of Mrs. Carlyle, whose conversation sparkled with quaint humour and womanly sympathy with noble effort. Immediately after this visit I went into Warwickshire, and among other places I visited the birthplace of Shakespeare at Stratford-on-Avon. While there I wrote to Mrs. Carlyle, asking her acceptance of a small volume of verse which I had published some years before, and suggesting that, as a break to his literary toil on 'Frederick the Great,' her distinguished husband should spend a day or two with me at Stratford. I received the following letter in reply:

5 Cheyne Row, Chelsea, October 22.

My dear Sir,—Is it a compliment to my *judgment* or my *mercy*, your sending the little book of poems to *me* rather than to my husband, '*on second thoughts*'? Anyhow, I am decided to take it as a compliment to *something*, which you think *I* have *more* of, not *less* of, than my husband has! and so I thank you heartily. My husband, who is up to the roots of his hair in work, has bade me thank you in his name for your kind invitation, which 'would be a fine thing to accept,' he says, 'if he *were situated like other men*.' And I was to explain to you how it was 'impossible for him to take any holiday, or have any peace or satisfaction, till this infernal——' &c. &c.

But Heaven forbid I should jest on so wide and woeful a theme!

Also I was to tell you, that he found the Almanac a great curiosity, and that you were 'not to suppose that he wished any foul play to the wretched scoundrels of criminals, only he could not approve of wild attempts to *wash* black men white—the thing being hopeless!'

Please come back when you are again in London.

Yours truly,

JANE W. CARLYLE.

On the occasion of my next visit to Mr. Carlyle we had some fresh conversation about Mr. Howe, which awoke in me a desire to make his acquaintance. Accordingly I wrote to Mr. Carlyle a few days after, asking if he could give me Mr. Howe's address. I received the following reply, which has a special bearing on what I have already said of his views on colonisation:—

Chelsea, December 31, 1861.

Dear Sir,—Mr. Howe's card seems to be irrecoverably lost, and I am sorry therefore to answer that I do not know his address. He merely sent up his card; was rejected (as many have to be at this door); his name suggesting no notion or suspicion of who he was, not for two or three days after, when I heard that the Nova Scotia Mr. Howe was in this country. He has not called again, nor did I yet find time to make a counter-attempt on him. The card, I can remember, had 'St. James's' on it—'Street,' 'Place,' or 'Square,' uncertain to me—and I have a dim persuasion that the number was '3.' This is all I can say. Of course, you will have no difficulty to make out the actual address when you return; it is only enquiring of the postman in that locality, or at the utmost, investigating a little in the haunts of colonial people. I should be well pleased if you found him, and (among other more important matters) were so kind as explain to him the above mistake of mine on that head. In former visits of his, I found him an intelligent, energetic, sagacious man, very well worth talking to, of course especially if you had business in his department of activity.

I have no recollection what I said to you about colonisation that evening. The subject used to be of earnest, almost of pain-

clay pipe. Speaking of the war between the North and the South, he exclaimed, 'Let them blaze away—it is the dirtiest chimney that has been on fire for many a long day!' On one occasion I was rather incautiously led into speaking of the equality enjoyed in Australia, and used some such language as this: There every man can stand erect and look his fellow in the face. Mr. Carlyle looked at me with a half-pitying, half-ironical gleam in his eyes: 'Did you see the Lord Mayor's Show?' he asked. I replied, 'Yes.' 'Well,' said he, 'there were a hundred men in that crowd who would stand erect, and look you in the face, and knock your hat over your eyes into the bargain!' On my next visit he said: 'I have been thinking over your praise of your responsible governing machine out there which you have set up in place of the Old Fogies of the Nominee days; on the whole, I think it is better—if you must have one or other—than the Old Fogies.' On another occasion I said to Mr. Carlyle: 'I have sometimes thought that it would be a good thing for a man like me—imperfectly educated and with many things always pressing upon his time, to put aside all books, save ten or twelve authors, and thoroughly master them. In such case, what authors would you suggest?' He made some curt observation which I interpreted as unfavourable, and I felt half ashamed of what I had said. When I called again he said, 'I have jotted down some books for you, if you carry out your plan of studying a few authors,' and he fetched me the list written in pencil on a torn sheet of paper. A facsimile of it faces this page.

I doubt if many persons would adopt this selection of books, famous as was the selector, and excellent as many of the works undoubtedly are. Another book which Mr. Carlyle frequently urged upon my notice was Collins's *Peerage* (I think the fourth edition), from which, he said, he had learnt more of English history

than from all other books put together. He described Collins as an old London bookseller, who devoted all the spare hours of his life to the acquisition of knowledge, from original sources, about the governing families of England ; and he thought much more of this particular issue of his work than of the costly edition by Sir Egerton Brydges.

On one of my visits (on a Sunday morning) I was called upstairs by the voice of the philosopher, to a room at the top of the house, where he was engaged upon the proof sheets of 'Frederick the Great.' The walls of the room bore portraits of his hero, and plans of Frederick's battle-fields ; no other engravings or pictures of any kind. There were no books in the room except a few relating to the subject of the great work then going through the press.

One Sunday afternoon Mr. Carlyle had an engagement in Grosvenor Square, and he invited me to accompany him on the way. When some distance from Chelsea I was accosted by a little begging girl. I gave the child a sixpence, which called forth a rebuke from my companion. 'The other day I was asked for alms in one of these squares by a poor little weeping girl,' said he ; 'I had a profound conviction that no gift from me could benefit her, but, nevertheless, I gave her some loose pence. After walking a short distance, I turned round to see what she did with herself, when I saw another beggar girl taking the pence from her, and beating her to make her cry for more. It is of no use—it is worse ; it is supporting their tyrants to give to these children.'

When the day came for my departure for Sydney, I called on the Carlyles to say 'farewell.' We recalled much of our conversations during the year that had passed since my first call ; again I sat down with the grand old author of 'Sartor Resartus' and his gracious wife at the simple tea-table. Mrs. Carlyle

unbent to a little innocent gossip of fashionable life. A gentleman of rising reputation, who had lately returned from the colonies, and had established himself in London society, felt himself under an obligation to entertain an old colonial acquaintance just arrived; 'but,' said he to Mrs. Carlyle, 'I don't know who to ask to meet him—will you come?' As I was on the point of leaving, never to see them again, Mrs. Carlyle gave me a photograph of her husband, with his name written underneath it; and that photograph is still among the most precious things in my quiet home in Sydney. The memory of those days will never leave me; and I trust I have not altogether failed to profit by the lessons I received from the great Professor of heroic wisdom.

I became acquainted with Richard Cobden also through an introduction from Sir C. Gavan Duffy. I received an invitation to visit him at Dunford, his country house near Midhurst. I arrived on a frosty evening in the middle of November; Cobden met me at the door, in a wide-brimmed straw hat and a morning coat, and I received from him a warm homely greeting. After dinner we chatted mostly about the colony; I was aware that he had a brother at the diggings in New South Wales, but the brother's name was never mentioned by either of us. He spoke very kindly of Duffy. When the hour for retirement arrived Mr. Cobden lighted me to my bedroom; there was a glowing fire on the hearth, we sat down beside it, and it was long after midnight before he bade me good-night. I explained to him in our conversation the argument of the Australian protectionist that the duty was necessary to foster new industries in their infancy. His first words were, 'There is no accounting for the vagaries and perversities of the human mind.' He pointed out how futile any attempt to give unnatural growth to any industry must ultimately prove itself, and how the cost

of the experiment must always fall upon those whom it is proposed to benefit. I listened to Mr. Cobden's quiet, wise words in that winter firelight, and, though I had been bitten by the doctrine of fostering infant industries, I never afterwards wavered from the cause of free trade. Dunford was blocked in by large landed estates, and when I took the stage omnibus at Midhurst on my return (there was no railway) I had as my travelling companions two tradesmen of the town. There had lately been a skirmish between the gamekeepers and poachers on one of these estates, resulting in the capture of the poachers. My two fellow-travellers were full of the story, and it struck me strangely, fresh from Australia, that all their sympathies were with the aristocratic owner of the game, and against the stealers of his pheasants. I had promised to send some Australian statistics to Mr. Cobden, and in my letter I tried to describe the episode in the omnibus. I received the following reply :—

Midhurst, November 21, 1861.

My dear Sir,—I am very much obliged by your kindness in sending me the statistical and other tables upon your great and growing country, which will be of interest and value to me.

I have been much amused by your graphic account of your companions on the omnibus. They were genuine specimens of traditional Englishmen, who cling to the habits of their ancestry with about as little enquiry as to their utility or suitability to our days as though they were inhabitants of Dahomy clinging to the 'custom' of their forefathers.

I hope to have the pleasure of renewing our conversation in London at no distant date, and remain,

Very truly yours,

R. COBDEN.

Henry Parkes, Esq.

I spent some hours with Mr. Cobden in London at the house of his friend Mr. Paulton, in the spring of 1862, when our conversation on Australian protection

was renewed. His face appeared to me at this time as one of mingled gravity and tenderness, his manner unassuming and gentle, his conversation attractive from its clear thoughtfulness, its point, and its occasional banter. Three years afterwards he died the good man's death.

In the early part of this visit to England I formed the acquaintance of the author of 'Tom Brown's School Days.' Mr. Hughes had been described to me in Sydney by a gentleman who knew him well as the 'manliest of men'; and I have often thought the words had a rich application to his character. I saw much of him at this time, frequently visited at his house in Park Street, went with him to his occasional lectures, accompanied him to the Vere Street Church to hear Frederick Denison Maurice. Our acquaintance has continued to the present time. To him I am much indebted for many courtesies, and for many opportunities afforded me to meet important persons. I have before me now a copy of the 'History of the United States,' by J. M. Ludlow and Thomas Hughes, containing this odd inscription: '*Thomas Hughes*—I meant to have written Henry Parkes, but as he was persistently talking to me all the time, went and wrote my own name instead; but I hope he will accept this book as a token of the good wishes of one of the authors. Lincoln's Inn, March 17, 1862.' Since then I have received many interesting letters from Mr. Hughes on public questions, especially on the legislation in the cause of education in Australia and in England. The last time I saw Mr. Hughes was in 1884, when I dined with him at his house in Chester; but I never met him or heard from him without feeling myself a better man from the touch of his brave Christian character.

When gold was discovered in Australia nearly forty years ago, Mr. Thomas Woolner, the famous sculptor of

the present day, came to Sydney in the flood of adventurers. He executed medallions of many of the Australian celebrities of that time—Mr. Wentworth, Mr. Martin, Admiral King, and others. I was then at the head of a daily journal; Mr. Woolner and I soon began to know each other. Indeed, I have heard him in later years draw a picture at a distinguished dinner party in London, with a good deal of graphic delineation, of the manner in which we first met. Our acquaintance was renewed on my arrival in London in 1861. I saw much of Mr. Woolner during my stay in England, and received from him many attentions which were of much value to me; and our friendly relations have grown warmer, I trust, as time has worn away. When I first held office, a few years afterwards, I had the privilege of giving a commission to Mr. Woolner for the statue of Captain Cook, which now occupies one of the finest positions in Sydney, overlooking the waters of Port Jackson. I have gazed upon many celebrated statues in America, in England, and on the Continent; but I know of none more striking as the embodiment of the sculptor's conceptive genius than Mr. Woolner's great work in Sydney.

In the course of my journeys through England and the arrangements for public meetings, I was brought into communication with many men of the middle class, sheriffs of counties, mayors, master manufacturers, and other persons of local consideration; and I was surprised by the sneering allusions to reform and reformers, and the expressions of thinly-disguised sympathy with the aristocracy which I heard at their social gatherings. Mr. Cobden and Mr. Bright did not appear to me to be idols with the new men of opulence whom their statesmanship had so conspicuously benefited; and even the masses seemed to be deadened by the want of sincerity in high places. It was the period when the Palmerston Ministry were playing with the question of Parliamentary

reform. I attended two or three political meetings, but they were miserably tame in comparison with the meetings in the agitations of the first Reform Bill; nor were they equal in spirit and enthusiasm to meetings in Australia.

The American Civil War was dividing English society into opposite camps, the majority of the higher classes siding with the South, and the mass of the working-men, with such leaders as John Bright, standing steadily by the North. In November, 1861, an event occurred which shook the very soul of England. The English mail steamer *Trent* had left Havannah on the 7th with Messrs. Slidell and Mason on board as Confederate Commissioners to Europe; on the 8th she was stopped in the Bahama Channel by the United States frigate *San Jacinto*, and the Commissioners were seized under the British flag and carried away as prisoners. The news was brought to England by the steamship *Plata*, which should have brought Messrs. Slidell and Mason, according to their arrangements at Havannah. For some days war seemed imminent and hardly avoidable. After Cabinet consultations, and the assembling of the Privy Council, a Queen's messenger had left on the evening of the third day with a special despatch for the British Minister at Washington. The Southern sympathisers were for chastising the Yankees at whatever cost. The English side of the threatened rupture was concisely expressed in four lines of contemporary poetry:—

Dishonour hath no equipoise in gold,
No equipoise in blood, in loss, in pain :
Till they whom force hath ta'en from 'neath the fold
Of her proud flag, stand 'neath its fold again.

There is no need now to discuss the questions which then agitated the public mind. Right was done and the war-cloud passed away. But the seizure on board the *Trent* intensified the interest of Englishmen in the

tremendous conflict across the Atlantic which threatened to split the great Republic asunder. It is deserving of record that, in all privileged circles, on all the higher planes of English life, the rebels—the men who had been plotting and struggling through many years to extend and secure the domain of slavery—commanded sympathy and support. The recognition of the Confederates as a nation was loudly talked of, motions of a friendly character were made in Parliament, and in the great drawing-rooms few words of sympathy with the Federal cause were to be heard. I attended the Commemoration at Oxford, and the name most boisterously cheered by the undergraduates was that of Jefferson Davis. In the House of Commons I heard an attempt made to hoot down William Edward Forster, then comparatively new to Parliament, when speaking in support of the North.

On the morning of December 14, 1861, Prince Albert died. Whatever opinions we may have formed, and whatever may be our political leanings, to a right-minded man it is beautiful to see how the poor lose sight of their own privations and sufferings in the gloom of a mighty sorrow such as then fell upon the heart and home of Queen Victoria. It seemed as if death had entered every household in the land. Rich and poor, high and low, all alike joined in the national mourning. It could hardly be believed at first; it was so unexpected, so sudden, so entirely a thing never thought of. The tolling of the great bell of St. Paul's only set men wondering, until the cold, dark, unmitigable truth spread its shadow over the mighty city, and, far and wide, over the heart of the sorely stricken nation. At the time I wrote the following in a letter sent out to Sydney:—

The signs of mourning have continued everywhere until to-day, when the body of the Prince has been consigned to the grave. Never in English history has any death been so visibly

felt by all ranks of the English people. The working classes, for the improvement of whose social condition Prince Albert laboured so earnestly, so wisely, so effectually, have assembled in thousands and sung together the Rev. Newman Hall's beautiful adaptation of the National Anthem.

To-day I heard seven thousand people of all social degrees mingling their voices in this strain of national sorrow and supplication. In every city and town of England to-day the ordinary pursuits of life have been suspended. But it is not by closed shutters and doors, by habiliments of mourning, by the tolling of church bells, and by drooping flags wreathed with crape that the national sorrow is most touchingly expressed. You see it everywhere in the grief-burdened faces of the people. You see it in the utter absence of any expression or sign inconsistent with this sense of loss. Deeply and with a true love do the people mourn for the Consort of their beloved Queen.

And she, poor Royal Lady! how does her woman's heart bear up in this great and sudden trial? 'Many poor women have had to bear this trial' was the simple outburst of Victoria's grief and resignation. The people are told that their Queen is calm. Nothing more is known from the seclusion of her island-home.

In the cause of emigration I had the hearty assistance of several influential ladies, Mrs. Nassau Senior (sister of Thomas Hughes), Miss Florence Hill, and others. I held a meeting at Battersea (where a large number of navvies were working), at the instance of Mrs. Senior, and she and other ladies must have done all the work of getting up the meeting, which was very successful. Hundreds of letters used to reach the office every week, but in nearly all cases from persons who wanted free passages, and in many cases from persons who did not appear to care where they went if they could leave England without cost to themselves. Still, large numbers of excellent men and women were anxious to emigrate; but very few who possessed the means of conveying themselves and families to the Antipodes.

Mr. Dalley and I worked together very cordially on this mission; we had differences of opinion as to the most expedient course at times, but we always came to a satisfactory agreement. In after years we were drawn into hostile camps, and some bitter things were said; but for some time before his lamented death our friendly relations were renewed. He resigned his office as Emigration Commissioner, and returned to the colony some months before I did, and when on the eve of leaving England he wrote to me the following farewell letter:—

Liverpool, June 14, 1862.

My dear Parkes,—I write to you within a few moments of my embarkation to say that farewell which I found it difficult to speak last night. At the close of our relationship I am deeply sensible, my dear friend, of your uniform kindness during the whole period of our absence from home—the recollection of which at this moment almost reproaches me for leaving you. I shall religiously regard my undertaking to endeavour in any way which Heaven may suggest to me to bring about an improvement in your boy,¹ looking upon my success in the effort as the most gratifying proof I can give you of my sense of the value and sincerity of your friendship. God bless you, my dear Parkes, and in the hope of soon welcoming you home

I am, your affectionate friend,
WILLIAM B. DALLEY.

My brother sends his love and heartiest wishes soon again of seeing you.—W. B. D.

The success of men in the Australian colonies, who have arrived from other countries without money and without friends, is to be found on every side of us. And the men born in the country of poor parents furnish as numerous examples of success. The richest man in all Australia at the present time is a native-born Australian, who began his career on his savings

¹ Robert Sidney Parkes, who died January 2, 1880,

as a farm labourer. One of the great men of the early days, whose ambition was to found families, had an assigned servant who acted as his coachman. A few years afterwards he found himself a ruined man, and the coachman attended the sale of his effects, and bought the carriage and horses, and this 'assigned servant' of the great man died a wealthy merchant. I have myself seen a man standing by a door laid upon trestles with a few locks, hinges, and nails upon it—all his stock in trade—who soon established himself in a regular hardware business, which grew into one of the largest establishments in the colony. The man is still living, the possessor of large wealth, a member of Parliament, and held in respect by all who know him. In all substantial particulars there are many like him. In a new state of society, when men are too busy to listen to the explanations of others, or to make allowance for their mistakes, there is one quality which, of itself, will always secure friends and lead to fortune. That is trustworthiness. I will select a case only distinguished by industry, temperance, thrift, and trustworthiness; it is the case of a personal friend.

In one instance out of very many which might be given, my friend's story shows how beneficial the change from England to Australia has proved a thousand times over to individuals. He was a compositor, and worked for small remuneration in England. He emigrated to Victoria during the early 'rush' caused by the gold discoveries. He dropped into employment at once at what must have appeared to him fabulously high wages, 10*l.* to 12*l.* a week. Fortunately, my friend was a young man of industrious and frugal habits, and instead of living at a rate corresponding to his high wages, he lived thriftily, and commenced saving his money. In a short time he had saved a sufficient sum to enable him to send to England for a 'general printing office,' namely, the necessary presses and types to establish

himself in business as a printer. By the time that the printing office arrived he had saved a further considerable sum of money, and at the same time had formed the acquaintance of a young woman whom he proposed to marry. The wedding took place without delay; the newly-married man purchased a light dray and a covered van, he put his printing office on the one and his wife into the other, and thus provided, he started off for the goldfields, to find a suitable locality for the establishment of a newspaper. He found a place for his purpose, a comparatively obscure 'diggings' at that time, but a well-known goldfield of later years; and the 'Bramblewood Advertiser' was started. As he told me in his own house, with a blush of conscious pride, many years afterwards, he was himself very often the editor, reporter, compositor, and pressman. He and his wife folded the paper, and in part delivered it at the diggers' tents.

It was more than thirty years since I parted from my friend in London. Though I knew he was in Victoria, I had never heard from him. He was too busy and practical a man to lose his time in useless letter-writing. In 1870 I happened to be in Melbourne, and walking down Collins Street, I was met by a well-dressed middle-aged man, with the exclamation, 'This is a pleasure I have been longing for through many years!' I explained that I could not recollect him. 'Not recollect me!' he cried; 'do you recollect this walking cane?' and held out the cane with which he was walking. I took the cane, and recognised it at once as my own handiwork when a lad—a gift from me to him when we were both lads together. It was indeed my early friend, whose story as a journalist at the goldfields I will finish in his own words: 'By working hard and keeping down expenses, we soon got on,' said he. 'The paper grew in circulation and in the support of the advertising public, so much so that a gentleman came

up to Bramblewood from Melbourne to establish an opposition paper, and he brought with him a complete newspaper plant, a young university man as editor, a gentleman as overseer, and another as book-keeper. We took the threatened opposition quite calmly. I told my wife, who was my only overseer and book-keeper, not to be alarmed, we should soon want to extend our office, and it would be cheaper to buy out our new neighbours than to send to Melbourne for material. As I anticipated, the expenses soon broke down the opposition, and we bought the new office, stock, lock, and barrel, at very satisfactory prices. We went on gradually improving our paper, and all the time laying by money. I bought shares in promising gold companies and bits of land likely to rise in value. I have now come down to spend the rest of my days here, having transferred the paper to other hands, still retaining a large interest in it, and being secured in a good income from my other various little properties.' I visited my friend in his new home. He had bought a block of land in a pleasant Melbourne suburb, which was bounded on three sides by streets growing every day more important. There were then two houses on this block of land; he lived in the smaller and let the larger. After warmly receiving me, and recounting some of the boyish experiences of our early days, my friend went to a room he called his study and returned with a bundle of mementoes of our divided past; scraps of rhyme written by me and printed by him on slips of paper when we were boys, little articles made by me and given to him as keepsakes in those far-gone days; newspaper portraits and personal descriptions of all which he had come across during his Australian life—all carefully treasured in evidence of that friendship which for so many years had found no voice, and which now broke upon me with such genuine beauty. A few years after this, I visited my friend again in his Mel-

bourne home; his block of land was now occupied by rows of houses fronting the three streets; he was himself a magistrate of the colony, a director of large charities, and a wealthy man. But the same features of neatness, economy, and homely comfort marked his unpretending home.

I have given this case because of my personal interest in the fortunes of the man, and also on account of the almost romantic incidents of the story. But on all hands successful men may be pointed out who began with nothing in the shape of worldly goods; they had, however, what was of more value to them in their efforts—the homely qualities of industry, perseverance, and thrift. Idleness and extravagance will not lead to fortune in Australia any more than in other countries.

CHAPTER VII

RETURN TO NEW SOUTH WALES—RE-ELECTION TO PARLIAMENT—
THE FIRST MARTIN MINISTRY; ITS FALL—LEGISLATION TO SUPPRESS
BUSHRANGING—COWPER'S DIFFICULTIES AND INCONSISTENCIES IN
FINANCE—MY ASSOCIATION WITH SIR JAMES MARTIN.

I REMAINED in England until late in October, 1862, when I returned to Sydney by the ship *Spray of the Ocean*, making the long sea passage in a little over eighty days. Some few months after my return I was induced to offer myself as a candidate for East Maitland in opposition to the re-election of Mr. J. B. Darvall, who had joined the Cowper Ministry as Attorney-General. Mr. Darvall had been strongly—it might be said bitterly—opposed to that Ministry, and his acceptance of office from Mr. Cowper was received with surprise and much disapproval. Still I think I acted indiscreetly in entering into the contest, though I had a very warm and influential support. I was nominated by Mr. J. N. Brunker, afterwards Minister for Lands, and I polled

well, though I lost the election by a narrow majority. Early in 1864 I was invited to become a candidate for Braidwood, but declined to offer myself. In my absence, however, I was nominated, but the candidate on the spot, who had actively canvassed the district, defeated me by ten or twelve votes. In the same month, April 1864, I was elected to the Legislative Assembly for Kiama, by a majority of two to one. On re-entering Parliament, I took my seat on the Opposition side of the House. Much had been done of which I disapproved, and more had been omitted which in my judgment ought to have been attempted to be done. I was by no means in accord with the regular Opposition, and I found other members very much in my frame of mind. So things drifted on in vague distrust and uncertainty during the Session. Mr. Martin (afterwards Sir James), with Mr. William Forster and Mr. Geoffrey Eagar, was in office at the head of his first Ministry; and he certainly had managed affairs so as to cause much dissatisfaction. The Government had indulged in a recess of six months, and met Parliament on October 18, when there was not sufficient time for transacting the public business before the close of the financial year. An amendment on the Address, after a debate of some days, was carried on November 2 by thirty-six to twenty-nine votes. As the immediate consequence of this motion, Parliament was dissolved on the 10th. The Elections proved very disastrous to the Ministers. The Premier and two of his colleagues were defeated in Sydney by large majorities, and the discomfiture of the Martin party extended throughout the colony.

When the new Parliament met, the Ministry was defeated on the Address by forty-two to fourteen votes. Efforts had been made by Mr. Martin to arrange a treaty with the colony of Victoria for the non-collection of the Customs duties on the borders of the two colonies; but

the negotiations had terminated unsuccessfully. Attempts to put the finances of the colony in a sounder state had not proved more fortunate in results. And in the interior the outrages of bushrangers had become alarming.

Mr. Cowper was recalled to office, forming his fourth Ministry, on February 3, 1865, which lasted till January 21 following. This Government was one with a very uncertain hold on the feeling of the House and the country, and during the eleven months and eighteen days of its existence it had three different Treasurers, three different holders of the office of Attorney-General, as well as other changes in the occupants of office. It was a Ministry of shifts and contrivances, and had no power to effect good. I received myself the doubtful compliment of the offer of office from Mr. Cowper, while he was looking out for means of gaining new support. The head of the Post Office up to this period (the latter part of 1865) had been a permanent appointment; it was now proposed to make the Postmaster-General a member of the Ministry. I waited upon Mr. Cowper by invitation at the Colonial Secretary's office, when, with the utmost cordiality, he informed me that he had sent for me with the approval of all his colleagues to offer me the office of Postmaster-General, with a seat in the Cabinet, and with an undertaking that Parliament should be invited to make the salary equal to the salaries of the other Ministers (the salary at the time was, I think, 950*l.*). I acknowledged the Premier's courtesy and consideration, but told him briefly that I must decline his offer; that I did not feel that I could co-operate with the gentlemen with whom he was associated. In point of fact, I felt keenly that it was a culpable neglect that no worthy endeavour had been made to reconstruct the Legislative Council on an elective basis during the five years allowed by Mr. Wentworth for the trial of the nominee principle. I

felt also keenly dissatisfied that nothing had been done, or worthily attempted, in the cause of popular education. I disagreed with the Government in their financial proposals as far as they had been foreshadowed.

On my refusal of Mr. Cowper's offer, Mr. James Augustine Cunneen was appointed Postmaster-General as 'a member of the Government without a seat in the Cabinet.' But this condition of office only existed for a short time, and has never been repeated.

At an earlier period of the year 1865, on August 10, in a speech to my constituents, I had spoken of the state of public affairs in the following terms :—

When the Treasurer came down with his budget he was in a plight very much resembling that of a schoolboy, who has got into a predicament, where he is forced to disclose something very bad of himself. As the words came out of his lips the tears were all but coming down from his eyes, and he told the House with fear and trembling that he did not know what to do for money. There were many others in the same bad way it was to be feared. Well, as the Government must have more revenue, he voted for the plan they proposed for raising it by a system of stamp duties. It was right that the electors should know that in these money measures the Assembly must either accept or reject the proposals of the Crown. Members could not substitute financial notions of their own for those of the Minister, and thus when the Minister told them that the public credit was at stake in their measures, a great responsibility was laid on the Legislature. He did not much approve of this system of stamp duties. He feared it would be found very vexatious in its working, and expressed himself to that effect at the time, but he voted for the Bill from the case of necessity put forth in its support, and he was there to take his full share of responsibility in assenting to it. There were some considerations too which induced him to assent to the Stamp Act on its merits. The public burdens hitherto had fallen very unequally on the different classes of society. The possessor of large properties and the man who only possessed a tobacco-pipe and pannikin paid the same rate of taxes, which was not just, and these stamp duties, objectionable as they were in many respects, would certainly

fall principally on the classes identified with property. Still, upon mature consideration of the subject, he thought a system of stamp taxes was not suited to the circumstances of a new country, and the sooner a better system was substituted for it the better for all. But something else came after the Stamp Act. That wonderful financier, Mr. Smart, had a wonderful way of doing business. One morning when he thought the session was drawing to a close, he read in the newspapers that Mr. Smart was about to come down again upon us with a second budget. Two budgets in three months was enough to frighten us from our propriety. And sure enough Mr. Smart came down with two new Bills for imposing more burdens. He again pulled a long face and said he thought he had enough, but he found he had not. The first dip into the people's pockets was unsatisfactory, and he must dip again. We then had the famous Package Bill, which in its first inception imposed an equal duty on all packages of goods coming into the country, whether a case of gooseberries or onions from Tasmania, or a case of gold watches or silks from England or France. But the greengrocers rose up as one man, and the fruiterers moved in deputation upon the Treasury. It was represented that the gooseberries coming in one day would spoil before the Customs could be moved to permit their landing on the second, and the great gooseberry interest was too much for the Minister. The Government could not stand up against a cargo of rotten fruit and vegetables, and so gooseberries and other articles of colonial produce were exempted from the operation of the Bill. But the Package Act as it now stood levied the same amount of duty on a parcel worth 10s. as it did on a parcel worth 500l. Then there was another Bill for increasing the duty on all articles then dutiable. He had from first to last opposed both these Bills. He based his opposition on the ground that this bit-by-bit plan of submitting the financial measures of a Government was foreign to the parliamentary practice of England, and ought not to be tolerated. But if this objection had not existed he should have opposed these measures on their merits, as about the rudest and clumsiest ever devised by any Government. He should now with their permission say a few words on the present state of things, and the public questions presenting themselves for consideration in the future. The present condition of the colony demanded an earnest and honest investigation of the causes of the prevailing depression. And this was clearly the

duty of the politician. Men who undertook the responsibility of interfering with the public interests beyond the province of the ordinary duties of the citizen were clearly bound to free themselves as much as possible from prejudice, to close their eyes to consequences affecting their own individual interest, and to endeavour to bring whatever ability they possessed to bear faithfully on all questions which they had power to influence. But at a season of popular discontent like the present, when it was felt on all hands that the affairs of the State were seriously disordered, and the forces which were available for giving us strength as a community were in a large measure misused or lost, it specially behoved public men to do their utmost, in justice to themselves and to the public, to discover why we are passing through this period of unnatural adversity, and then endeavour to supply the natural remedies. How was it that 400,000 people of British origin in free possession of a territory capable of sustaining a population of 40,000,000, and in a land abundantly blessed with all the natural elements of wealth, were nevertheless in a condition of commercial stagnation and suffering, in some respects positively worse than that superinduced by the accumulated mismanagement and improvidence of ages in older countries? This could not be the normal state of things. The colony had suffered heavily of late years from the visitations of Providence; but neither failing crops, nor floods, nor droughts, were sufficient to account for the long-prevailing depression that spared no branch of industry and seemed to afflict the most valuable classes with the greatest severity. In this working-day world of ours the most valuable thing—and viewed in its true light the most honourable thing—was human labour; and in a new country this precious attribute of man, which dimly reflected Divinity itself in its creative power, ought to find endless employment. One could not travel through any district of this colony without seeing a thousand things which required to be improved by human labour. No man possessed houses or land which would not be rendered more valuable if more labour were expended upon them. No man occupied any position which subjected the forces of Nature in any degree to his control who would not be able to improve that position if he had more labour to assist him in his operations. And yet the fact could not be explained away that in this rich and extensive country, occupied by a handful of population, and where of all precious things labour was the most precious, and

of all the things wanted labour was most wanted, there were men willing and able to work who had great difficulty in finding employment. This was one of the strange and startling facts of the present time. Could it be that there were too many industrious men in the country—that we had too much of what we most wanted? No man not very ignorant nor absolutely insane would say that such was the cause. The cause was to be found in the defective nature of our industrial machinery and our economical agencies. In every occupation of life our energies were impelled by a too speculative spirit, and the idea of permanency had not sufficient hold of the mind. Our aims were too extravagant and our efforts in consequence were to a great extent spasmodic and self-exhaustive. A colonising population had a natural tendency to waste its strength in this direction, constantly striving to grasp too much, and constantly missing the true end of all exertion—that secure possession of a sufficiency of earth's blessings which, tempered by repose and enjoyment, constitute happiness. Everywhere we might see objects commemorative of this waste of life; houses built in inaccessible situations, works begun to remain unfinished, traces of enterprises that started to life on the wildest calculations and failed. These ideas of extravagance and this misdirection of energy infected the Government as well as the people, and the consequence was that in proportion to these fruitless efforts the productive power of the community was lost.

Amongst the measures of the Cowper Government was a Bill for the suppression of bushranging, which passed into law under the name of the Felons' Apprehension Act. This measure was unprecedented in the severity of its provisions; it authorised the outlawry of any bushranger, under certain conditions, by a special warrant issued by a Judge of the Supreme Court, and empowered any person, whether a constable or not, to apprehend such outlaw, alive or dead, without being accountable for using deadly weapons, and it gave a reward of one hundred pounds for any such apprehension. It further provided that any person who harboured bushrangers, or supplied them with firearms or ammunition, or rendered them assistance, or gave false

information to the police concerning them, should forfeit all his real and personal property, and be liable to imprisonment with hard labour for five years. Though I supported the second reading of this Bill, I spoke and voted against its severe provisions in committee. The evil which had grown up was very great and alarming, but the remedy appeared to many reasonable minds to have that fatal flaw so often derived from times of extreme excitement, of going too far and in too fierce a spirit. What was wanted at the time was not so much a severer law as more vigour and vigilance, and a clearer and more penetrative judgment in carrying the law into effect. Though the second reading of the Felons' Apprehension Bill was carried by 37 to 4 votes, the late Prime Minister and Attorney-General, and two of his colleagues, voted in the small minority.

Mr. Cowper's financial proposals broke down completely, and, deluded by the soft phrases of his opponents, he adopted their policy, after having utterly failed in his own. His Treasurer resigned after this failure; but Mr. Cowper faced the new difficulty and informed the House on December 20, 'that in consequence of the refusal of the committee to sanction all the proposals of the late Colonial Treasurer for raising revenue, it was necessary to have recourse to new methods.' He proposed to levy a duty on imports of 5 per cent. *ad valorem* as one part of his new scheme. I made a speech against this proposal, of which the following are the opening sentences:—

That when the Honourable Chief Secretary submitted his resolution, amidst the rather noisy cheers of the House, he thought the honourable gentleman must have felt rather uncomfortable. At all events there were heard most distinctly amidst those loud cheers two separate sets of voices. There were the cheers of self-gratulation and rather pardonable exultation on the Opposition side of the House, amongst the late Ministry and their friends, who had succeeded in imposing their protectionist views on this Free-trade Government; and there were the insolent

cheers of an unintelligent triumph on the other side—the triumph of the successful double-dealing and manœuvre of their slippery chief. But this kind of thing was only a thing of the hour, and there would come a sober time of reckoning even if they were successful to-night. If he could have been induced by any considerations, in view of something less desirable that might be substituted, to have given his vote for doubling the tea and sugar duties, he certainly should have been prepared to have voted for doubling those duties rather than for the proposition that had been made to-night. But he certainly could never have been induced to do that, because it did not follow that if this thing was intolerable, we should accept something that was scarcely less tolerable. He did not wish to misstate the arguments that had been urged either for or against the proposition; he did not wish to mislead the sense of the committee. He was fully aware that the arguments, whatever they might be worth, against the proposition submitted by Mr. Samuel, the honourable member for Wellington, were based upon what was conceived to be an inequality in the incidence of taxation. But quite a different class of arguments rose up against such a proposition as this. Here we have a proposition for increasing the burdens of the country in a manner that, even if it should be successful in raising the trifling sum estimated, would carry with it derangement and injury to the infant commerce of the country in all its branches. Any interference with that very tender and important branch of the public interest—the intercolonial commerce—was to be deprecated in the strongest possible terms. And all this was to be done for the purpose of raising 130,000*l.*! Because, after listening with the greatest attention to the honourable member for West Sydney (Mr. Joseph), he was much more inclined to take that honourable gentleman's estimate of the probable revenue from these new duties than that of the Collector of Customs. Large deductions would have to be made for the free list, and for the large amount of goods transhipped to other parts of Australia; and there would also be large deductions by reason of the system that now obtained of overvaluing the imports, which of course would prevail no longer. He would call attention to the remarkable speech by which this proposition was submitted. A great deal was said to us about schemes of retrenchment, but these schemes were indicated in such dim phraseology, and were propounded in such a hypothetical way, that scarcely any

honourable member could expect to see them carried out. Then there was something said about an income tax. But how was it that there was no promise of bringing in such a tax? All that was said was that it might be desirable to see whether the House would consider the propriety of giving their support to an income tax. But there was no mistake whatever as to what the honourable gentleman said about the *ad valorem* duties. They were submitted all ready to be crammed down the throats of the people because it was known that on the Opposition side of the House there were certain gentlemen who could not do other than vote for these duties. Did any honourable member believe for a moment that, if these *ad valorem* duties were passed, there would be any great pains taken to make reductions in the public service, or that any serious attempt would be made to introduce an income tax? But we were asked to swallow this nauseous dose of *ad valorem* duties, surrounded as it was by a coating of promises of the most vague and dim character. Were the committee prepared to accept these *ad valorem* duties? Let it never be forgotten that the whole of the members who sat on the Government side of the House who had seats in the late Parliament opposed the very same proposition as this when brought forward by the Martin Ministry.

Within the next few days the Cowper Ministry was a thing of the past, having been defeated on a direct vote by overwhelming numbers. The Opposition at the time consisted of two groups, one of which sided with me, while the other followed Mr. James Martin. We held some opinions in common, and were not in accord on other questions; but it was obvious enough that no efficient Government could be formed except by the union of the two parties.

CHAPTER VIII

ACCEPTANCE OF OFFICE AS COLONIAL SECRETARY IN THE MARTIN MINISTRY—THE EDUCATION STRUGGLE—HOSTILE ATTITUDE OF THE ROMAN CATHOLIC CHURCH—MR. CARLYLE'S OPINIONS—EFFORTS FOR DESTITUTE AND CRIMINAL CHILDREN—FIRST EXPERIENCES IN OFFICE—GOVERNOR SIR JOHN YOUNG.

ON January 21, 1866, I received a note from Mr. Martin¹ requesting me to call upon him at his chambers. On seeing me, he at once informed me that he had been sent for by Sir John Young to form a Ministry, and that he had accepted the commission. He explained some things which the Governor had said to him which had an interest for both him and me in relation to persons who might join us as colleagues, but which have no interest for the public at the present day. He said he wished me to take the office of Colonial Secretary, he himself holding the office of Attorney-General with the premiership. We then had some conversation as to the course to be pursued and the measures to be introduced, and Mr. Eagar, who was to hold the office of Treasurer, joined us. I intimated my willingness to join in the formation of the Government, and within two hours afterwards the other offices were offered and accepted. The new Government, notwithstanding some apparent inconsistencies in its political composition, was destined to render important services to the country. Mr. Martin and I held opposite opinions on several public questions, including questions of taxation and electoral reform; on others we were in cordial agreement, and our agreement embraced the question of education, the management of destitute children, prison management, and other subjects demanding public attention. We were not long before we embodied

¹ Afterwards Sir James Martin, Chief Justice of the Colony.

our views in measures for the consideration of Parliament.

The Industrial Schools Act, which I hope will long remain on the Statute Book, was entirely the work of Mr. Attorney-General Martin. Its scope in meeting the necessitous circumstances of outcast children is fully explained in the fourth section, which is in these words:—‘Every child whose age in the opinion of the person apprehending or ordering the apprehension, as hereinafter mentioned, shall not exceed sixteen years, who shall be found lodging, living, residing, or wandering about in company with reputed thieves or with persons who have no visible lawful means of support, or with common prostitutes, whether such reputed thieves, persons, or prostitutes be the parents or guardians of such child or not, or who shall have no visible lawful means of support, or who shall have no fixed place of abode, or who shall be found begging about any street, highway, court, passage, or other public place, or who shall be found habitually wandering or loitering about the streets, highways, or public places in no ostensible lawful occupation, or who shall be found sleeping in the open air, may be apprehended by any constable or peace officer or by any other person, and taken before any two Justices of the Peace to be dealt with as hereinafter is directed.’ The Bill provided for the proper care and instruction of the children and their due apprenticeship to industrial callings. Its provisions were eloquently explained to the Assembly by its learned author, who never appeared to more advantage than when speaking on subjects of this character. Both Houses took to the Bill very kindly, and after friendly debate it became law. Two institutions were soon established under the provisions of this Act, one on the ship *Vernon*, described in a previous chapter, and another for girls, which has had a more untoward history. It is a fact, however painful, that

young girls, who fall within the circumstances of neglect and destitution contemplated by the law, are much more difficult to rescue than boys of similar ages. This arises, strange as it may appear to some persons, not from the more vicious disposition, but from the more sensitive and tender nature, of the children. The difficulty is twofold, in fixing upon the right system of treatment and in finding the right person to carry it out. Our industrial school for girls, though it has undoubtedly done much good, has not been a pronounced success.

Side by side with this measure was a Bill, also the exclusive work of Mr. Martin, 'to establish juvenile Reformatories.' While the Act just referred to stopped short of the actual criminal class, and aimed at rescuing the children pushed to the brink of the precipice, the second measure was designed to meet the case of juvenile law-breakers actually under the sentence of the Courts. This Bill was also speedily made law. The fourth section enacts, 'Whenever any person whose age shall, in the opinion of the Court or Justices by or before whom such person shall be convicted as hereinafter mentioned, be under sixteen years shall be convicted of any offence punishable by law either upon information before a jury or on summary conviction by imprisonment for the period of fourteen days or any other longer period, such Court or Justices may in addition to the sentence which may be then and there passed as a punishment for such offence direct such offender to be sent at the expiration of such sentence, or, instead of passing upon such person the sentence prescribed by law for such offence, direct such offender to be sent forthwith to some one of the aforesaid reformatory schools, to be there detained for a period of not less than one year and not exceeding five years, and such offender shall be liable to be detained pursuant to such direction. Provided that the Governor

with the advice of the Executive Council may at any time order any such offender to be discharged from any such reformatory school.' Not more than one reformatory has been established under this Act, and that one for young female offenders; and, in perplexing contrast to the industrial school for girls, it has been a marked success. The Shaftesbury Reformatory, under the management of Mrs. Agnes King, is really a credit to the colony. This seems to prove that success depends almost wholly upon individual fitness in those placed in authority over such institutions. No reformatory for boys has as yet been established; chiefly, I believe, because the number of boy criminals has not been considered sufficient to justify the expense of the separate maintenance of such an institution. But it is now in contemplation to establish a reformatory for boys in connection with an experimental farm in one of the country districts.

While this legislation was being carried through Parliament, the attention of the Government, and my attention as Minister especially, was directed to conditions of misery and neglect in some of the public institutions, and of lawlessness and daring crime in the country which were of a startling character. The asylums for the sick and for the insane were discovered to be in a state which could not be allowed to continue without public disgrace, and in some parts of the country the wild crime of bushranging had put forth a front of audacity and cruelty which produced a general feeling of terror. While regularly attending in my place in Parliament, and bearing my full part in its proceedings, I was called upon to give my vigilant attention to the grave problems which had to be solved in the maintenance of the law and the public security, and in the general work of administration. These large subjects will, however, be more properly dealt with in another chapter. I return to the legislative work of

the Government in the Session of 1866 which fell more especially to my hands.

On the occasion of my election to the Legislative Council, in May 1854, I thus stated my opinion in general terms on the question of education: 'With regard to the great question of education, I have already declared myself, as the systems at present stand, in favour of the national system. But so much importance do I attach to the work of mental training as the foundation of every social virtue, that I should be prepared to support any modification or alteration of that system which would more adapt it to the peculiar wants of the remote, thinly populated, and scattered districts of the colony.' As explained, I did not accept office until twelve years after this date, but before the first year of my ministerial life was over I had introduced and succeeded in passing the Public Schools Act of 1866. The Bill provided for the establishment of Public Schools of a non-sectarian character, and for the continuation of support to Denominational schools on certain clearly prescribed conditions, one of which was that they should receive the same class of trained teachers, the same lesson books, and be subject to the same inspection and discipline as the public schools. But one hour a day was to be set apart for denominational teaching by the respective Churches. One golden provision of the Bill was that no person, man or woman, should be allowed to enter any school as a teacher who had not been trained for the work of teaching. These were the main features of the new measure, but they constituted a vast change from the previous state of things.

It was proposed to train under the direction of the State all the teachers for all the schools, to render it impossible for any person of influence to advance his dependent to the post of teacher, to put a stop for ever to the interference of the clergy in the school manage-

ment. The teachers were to be classified according to their attainments and degrees of aptitude for teaching, and to receive stipends so regulated and apportioned. Provision was made to protect the health of the pupils by allowing a certain measurement of air space for each child. The classes of schools extended beyond public schools and denominational schools, and included provisional schools where the number of children was not sufficient to constitute a regular public school, and in remote places where there might be a group of only eight or ten children, half-time schools. In the case of these last-named schools, the school went to the children instead of the children going to the school. The teacher, on horseback or in boat, would travel ten or twenty miles and teach one small gathering of children three days, and then on to another cluster of bush pupils and teach them for three days.

The new system was to be administered by a Council of Education consisting of five members appointed by the Governor in Council. The first Council consisted of the Hon. James Martin, Premier; the Hon. W. M. Arnold, Speaker of the Legislative Assembly; Professor Smith, of the University of Sydney; the Hon. George Allen, and myself; and I had the honour to be elected President.

The introduction of the Bill was the signal for an ecclesiastical storm. I was made the central object of attack, and no limits were set by my reverend and very reverend assailants to their inventive skill in personal abuse. My faults were magnified on the darkest pattern, and where no slender groundwork of fact could be discovered, there was no scruple in assigning to me all sorts of imaginary crimes. From the first, however, the lay members of the English Church did not warmly sympathise with the heated feelings of their clergy; and in the course of time the clergymen themselves, for the most part, withdrew from the conflict and accepted

the new system. But the hierarchy of the Roman Catholic Church were too devoted to the policy of that marvellous organisation to recede from their position, to accept the lessons of experience, or to admit the evidence of truth. The denominational schools, the schools of the Churches, under the provisions of the new law, became greatly improved, and did good work. As will be seen at a later stage, the priesthood would not 'let well alone,' and they were abolished, after an existence of some fifteen years.

In the struggle for the Act of 1866 there were more dangerous enemies than priest or parson—the pretended friends of the cause in Parliament, who had more concern in discrediting the Government than in promoting any form of education. I recollect meeting one influential member behind the Speaker's chair, who abruptly said, 'I shall have to vote against your Bill—I can't stand Denominationalism!' Obviously he had not read the Bill, but with him no good thing could come out of Nazareth. By absences, by ill-concealed sympathy with any kind of opposition, and by other little devices of hindrance, he added his negative quota to delay and the chances of defeat; but I suppose he thought better of his first resolve, for he did not vote against the Bill. Another Liberal member, who vehemently praised the Bill on the second reading, voted against reducing the minimum number of pupils required for the establishment of a public school in country districts from 'forty' to 'twenty-five,' after he had been conclusively shown in debate that the higher number would prevent schools being established where they were most wanted. The Bill did not go far enough for some; we went much too far for others. The Bill was read the second time on October 10, 1866, the division showing thirty-six ayes against fourteen noes. The third reading was carried by forty to five. In the Legislative Council the Bill had comparatively a smooth passage, and I know it

was with much satisfaction that Sir John Young gave to it the Royal assent on behalf of Her Majesty. The Secretary of State (the Duke of Newcastle) acknowledged the receipt of the Act in a despatch which spoke of it in very complimentary terms.

The Public Schools Act of 1866 was destined to receive the approval of remarkable men in other parts of the world. Mr. W. E. Forster, after successfully conducting his Education Bill through the House of Commons, addressed to me the following letter :

80 Eccleston Square, London, S.W.
October 6, 1870.

Sir,—I beg to thank you for the copy of your Educational Report for 1869, which you have kindly sent me.

I had already received most useful and interesting information with regard to the working of your Act from the able secretary of your Board of Education, Mr. Wilkins, and I must sincerely congratulate you on the good which has been already done by the measure with which, as Colonial Secretary, you were identified.

I wish I may have the same good fortune with regard to the Education Bill which it was my duty to carry through the House of Commons last year, and of which, as finally passed, I must beg your acceptance of a copy.

I have the honour to be, Sir,

Your obedient servant,

W. E. FORSTER.

Henry Parkes, Esq.

Earl Russell, at a later period, cordially concurred in the policy of the law. Other persons of eminence, including my friend Thomas Hughes, conveyed to me at various times their approval. Amongst others, Mr. Carlyle more than once wrote to me approving of the good work done.

For the first four years after the Public Schools Act came into operation I filled the office of President of the Council of Education, and during that period I often took part in the ceremony of laying the founda-

tion stones or of the opening of new schools. In 1869, having consented to open a new public school at Dundas, a village near Parramatta, I made the occasion serve for an address of some length, expository of the new system and its successful working. This speech was afterwards extensively circulated in pamphlet form. I sent a copy of it to Mr. Carlyle, and received the following letter from him in acknowledgment. The letter has an additional interest, as it also expresses his views on emigration as a question of British policy.

5 Cheyne Row, Chelsea,
September 21, 1870.

Dear Sir,—Your letter came to me in Scotland, and since my return last week I have read carefully your speech on the Education question.¹ You are very kind to remember me so steadily, and always from time to time to send me some interesting notice of what you are about.

I am greatly pleased with your calm, quiet, lucid and honest speech, and with all the useful and manful labour you have so successfully gone through for one of the most sacred interests in human affairs. The speech, though studiously inoffensive, gives clear indication of the much opposition you have had to confront in achieving such a bit of calm and impartial legislation, surrounded by so many difficulties and contradictions. I well enough understand the clamours of dark sectaries, Protestant and Catholic, especially of your Irish priests, the worst section of that miserable category; but I own myself much surprised that you should have incurred the estrangement of . . . in the adventure. You give no details of that little personal matter. My judgment of . . . and of the Thing you have been advocating and accomplishing, leads me to believe that this little rub will only be temporary. At all events, I can congratulate you on having laid down a plan, judicious, clear, impartial, probably the only sound plan practicable in your colony, which plan is already in vigorous practice there, and will be a blessing to millions on millions of your colonial countrymen, and indeed more or less a benefit to all men long after we are gone. Well done, well done.

¹ Speech on the occasion of opening the Public School at Dundas, September 4, 1869.

There is at present among us a considerable stir about Emigration, a growing desire that the Government would take some charge of co-operating with the colonies in this great interest of ours, which I hope the Government, in spite of its lazy reluctances, will gradually be compelled to do. By a little human arrangement between mother-country and her daughters, you and Sydney, for example, might have as many hardy Englishmen emigrants as you could gradually make room for, to the unspeakable advantage of us and of you. A thousand by the year, or two thousand, if you liked. But there needs co-operation, a mutual stretching out of hands on both sides of the ocean; and, alas, on our side the one thing we are sure of is not a practical putting forth of hands in any kind of work or government, but a plentiful wagging of tongues in Parliament and elsewhere. If to you on your side of the water any opportunity occur, I charge you not to neglect it. The Government is deaf at this time, and will continue so I know not how long; but there are various private associations already of magnitude, and vigorously growing. I specially mention Sir George Grey, formerly a Governor among you, as the leading man in this movement here, who might be the properest of all to consult in the first instance, if you had occasion.

Believe me,

Yours, with many good wishes and regards,

T. CARLYLE.

The Government, during the first year of its existence, not only passed the Public Schools Act, but it was successful in doing a number of other useful things, making provision for the Public Service, and proroguing Parliament before Christmas. I was quite a novice in official business, but I made it a rule to investigate for myself all important matters, to test the 'usages of the office' by common sense and my own imperfect historical knowledge, and to trust nothing to others which I could do myself. It was a great advantage to me to be brought into intimate intercourse on public questions with Governor Sir John Young. He had held the office of Chief Secretary for Ireland, and had, I believe, been Whip to Sir Robert Peel; and his

knowledge of Parliamentary life was full and accurate. He had fine administrative faculties, and had given much attention to the study of questions in which I was deeply interested, such as the management of criminals under sentence, the care of destitute children, and other social reforms.

Up to this period, the Governor exercised the prerogative of pardon in ordinary criminal cases, largely influenced by his own sense of justice and responsibility; it was not until some years afterwards that the responsibility in such cases was almost wholly assumed by the Governor's advisers. If a petition for the remission or mitigation of a criminal's sentence, signed by 'influential' persons, came before Sir John Young, his first thought was that there was a design to bring pressure to bear upon his judgment rather than to urge the claim for consideration on the merits of the case. In the case of a prisoner well connected in society, he expressed his views in the following letter to me:—

Government House, Sydney,
November 8, 1866.

My dear Mr. Parkes,—Please to have the petition in favour of . . . referred to the Judge who tried the case for his observations.

Whatever stress I may be disposed to lay, and you know I do lay the greatest on yours as well as Mr. Martin's opinion, still it is my duty to refer petitions for remission of sentences to the Judges who presided at the trials and to be guided by their reports.

This, you may rely upon, is the only safe course in the interests of the public, however great the temptation to interfere, or however hard it may seem not to exercise leniency in a particular case.

Allowing full weight to what you sent me in a recent note as to various defects in some of the Courts, and the shortcomings which are stated to exist in various directions, still I must consider to what your conclusion leads, viz. to the practice of altering Judicial sentences at the discretion of the Executive. Now I have no hesitation in saying that the remedy is infinitely, im-

measurably worse than the disease. The setting aside the Judge's sentence may in some cases be unavoidable, but it is a practice fraught with peril—liable to indefinite abuse and equally indefinite misconstruction. Indeed in every instance the misconstruction is certain, and so far tends to weaken confidence in the administration of the laws.

The Executive (including the Governor), whatever their desire to attain an equitable result, have really no accurate means of sifting the grounds of the opinion, to which they give effect, if they ignore or contravene that of the Judge. Usually their interference is invoked, and is rarely ever exercised in any other instance than that of parties earnest in favour of the convict. The statements made to them are *ex parte*, they are not tested by cross-examination. Unsworn is taken as against sworn testimony. The demeanour of witnesses cannot be observed nor one confronted with another, as before the Judge and Jury. These are grave deficiencies, fatal to an efficient revision of sentences on the part of the Executive.

In England, and in Ireland where the practice is the same as in England, and where I had ample experience when I was Secretary of State, remissions of sentences are not made without the concurrence of the Judge except in cases of dangerous sickness, of special service in prison, and under regulations of the kind adopted latterly here. Any deviation from this strict course is immediately observed upon in Parliament and checked.

Already even in my time (and I have tried to be cautious), both the Judges in this Colony and the Legislative Assembly have found occasion to remonstrate against the exercise of this prerogative.

One case of remission naturally and inevitably leads on to another, and I know not where we shall stop if we depart from the example of the mother-country and forget the warning given by the American States, in a great many of which so great laxity obtained in conceding remissions, and the evil proved so intolerable, that the humiliating course for the Governor and Ministers was resorted to of taking the prerogative out of their hands entirely and vesting it in an independent board. At the same time I see that many of the sentences pronounced in the district Courts seem relatively unequal, and of disproportionate duration. But a remedy might be found for this by conference with or instructions to the D. C. Judges.

Any rule of general application will be safe enough, but

the dealing with individual cases is pregnant with mischief, and the dealing with them without reference to the Judge involves a breach of principle which leaves no *locus standi* in any case upon which pressure political, social, or sympathetic, can be brought to bear.

I am sure you will not mistake the animus of these remarks—they are meant rather to guard against possible future dangers than to apply to existing circumstances.

Very truly yours,
JOHN YOUNG.

It will be seen by the tenor and suggestive spirit of this letter that the Governor was very sensitive to what he conceived to be the responsibility cast upon himself as the representative of the Queen, while he aimed at holding the scales of justice free from improper influences however previously concealed. The main principle insisted upon by Sir John Young is undoubtedly sound; and in my connection with cases of prisoners in subsequent years I have felt the value of keeping that principle steadily in view. I shall have to examine at greater length the delicate and difficult question of the exercise of the prerogative of pardon when I come to the first Administration formed by myself, and the assumption of the office of Governor by Sir Hercules Robinson.

CHAPTER IX

THE INTRODUCTION OF TRAINED HOSPITAL NURSES—MISS FLORENCE NIGHTINGALE—THE BUSHRANGING PERIOD OF CRIME AND TERROR—MURDER OF A POLICE PARTY—ATTEMPT TO ASSASSINATE THE DUKE OF EDINBURGH—EMPITTERED STATE OF PARTIES—LETTER FROM MR. CARLYLE—TREATMENT OF THE INSANE—DR. MANNING'S WORK OF AMELIORATION—DESTITUTE CHILDREN.

AMONG the subjects which engaged my attention on my first entrance into public life was the care and treatment of the sick and the insane in the Government asylums. There was at that time but one general

hospital in the city of Sydney ; and that was under a very unsatisfactory system of management, or, speaking more correctly, it was under no system at all. An influential friend brought under my notice the case of a young man who had been admitted into the hospital from one of the ships in harbour, and whom I found, on visiting the building, in a pitiable state of neglect and suffering. This circumstance led me to a personal inspection of all the wards and the condition of the inmates, and to enquiries as to the staff of attendants and the general treatment of patients. As the result of my investigations, I sent a communication to Miss Florence Nightingale requesting her services in engaging a staff of trained nurses for the colony. That illustrious lady immediately took up the cause, and in due course a staff of nurses selected by her arrived, under the superintendence of Miss Osburn, a lady admirably qualified for her important office, who endeared herself to all by her amiable character and her many accomplishments. Miss Osburn remained in the service of the colony for a number of years. She had to contend against the usual difficulties which beset persons engaged in any great change from a bad state of things to a better ; but she steadily pursued her quiet and unassuming course of usefulness, regardless of the prejudices of old-fashioned doctors, and some slights not always easy to bear. To Miss Nightingale the colony is deeply indebted for the practical interest she has taken, not only in all questions relating to the construction and management of hospitals, but in all matters concerning sanitation and the public health. For many years, after the introduction of the trained nurses, she did me the honour of frequently corresponding with me on these subjects ; and one of the honours I have received on which I set a high value is a gift-book from her bearing the following inscription in her handwriting : ‘ Offered to Henry Parkes with Florence Nightingale’s

earnest sympathy for all his good work for human welfare, and especially for depauperising work. London, April, 1875.' When I was in England in 1882, I had a long interview with Miss Nightingale in her sick-room, where her afflictions resulting from her noble labours among the sick and wounded soldiers of the Crimea, now kept her a prisoner. Her graciousness and deep Christian goodness were visible in every word and every look; and that sweet refined presence has come to me hundreds of times since then in my struggles and failures. I venture to give the following letter from her hand, selected from many, in illustration of her abiding interest in Australia:—

April 29, 1882.

My dear Sir Henry Parkes,—Your kind note of April 15 was forwarded to me. (I had that very day been obliged to go out of London for a few days' total silence and solitude.)

I will try for the 'documents' you ask for; namely, 'On Hospital Management,' 'On Health Provision for Towns,' and 'Any manual suitable for the guidance of persons in charge of Country Hospitals.' In these latter we are singularly deficient—as also indeed in the first. In the second not so deficient.

How soon do you leave England? As, if you return to Sydney before I can obtain a suitable list, I should like to be able to send the documents after you, seeing that I have been so (unwillingly) impotent in doing as you desire.

I trust that you are not over-fatigued with your having to see and to be seen so much. England has been so glad to bid you welcome.

St. Thomas's Hospital and St. Marylebone Infirmary were particularly honoured by being inspected by you. I hope you found them satisfactory.

I must not trouble you with a long note farther than to give you joy, or rather to give ourselves joy, of your revisiting the old country. I fear I shall not see you again before you leave England for Sydney. May your days be long in the land to which you have secured such blessings. And may her future be a glorious one is the earnest prayer of

Your ever faithful servant,
FLORENCE NIGHTINGALE.

In the introduction of the hospital nurses I acted without the sanction of Parliament, as I regarded delay as unjustifiable in the interests of humanity, but I had the cordial support of my colleagues, and when the expenditure was submitted in the next Session, it was voted without exception being taken to what had been done. Indeed, I may fairly claim that the course I adopted in this instance, nearly a quarter of a century ago, was the first step in establishing the system of trained nursing which now prevails in all the hospitals of the colony, and, I believe, throughout Australia.

85 South Street, Park Lane, London, W.
October 24, 1866.

Sir,—I beg to acknowledge your letter of July 21, relating to the selecting and engaging of four trained and training nurses for the Sydney Infirmary.

Let me, in the first place, assure you that all that I can do shall be done to forward your kind and wise intentions, and that, so far from your application to me requiring any 'apology,' it has, on the contrary, a claim upon me, for Australia has always been a powerful patroness of mine, and I hardly know how to thank you as I could wish for asserting that claim.

You are perhaps not aware that after the Crimean War a fund was raised, called the 'Nightingale Fund.' Australia interested herself very much in this affair. I applied this fund exclusively to the training of matrons and nurses for the sick poor, and especially for hospitals. But the demand is always larger than the supply, even for England alone. We are generally engaged years deep in training. We have always more posts to fill than, alas! persons to fill them, and we have never a supply of this valuable article ready on hand. Persons fit to be engaged always *are* engaged. And it is only within the last ten years that means have been taken to ensure a supply at all of trained persons fit to take charge in hospitals.

You see that it is I who have to begin with an 'apology.' I would fain repay part of my heavy debt to Australia, according to my powers, but I shall have to crave your indulgence and time, if we are to supply you with such persons as, after training them, we could recommend.

Your plan is, if I may say so without impertinence, wise, benevolent, and well digested, namely, to begin in the Sydney Infirmary a Training School for Nurses (people so often fancy that hospital nurses can be trained outside a hospital), and gradually to extend it so as to become a training school for nurses for other institutions in the colony.

Of course, upon the receipt of your letter (of July 21) I immediately put myself, and also Captain Mayne, in communication with Mrs. Wardroper, the valued matron (superintendent) of our Training School for *Hospital* Nurses at St. Thomas's Hospital, in order to see how far we could meet your wishes, and how soon, and also carefully to consider Dr. Alfred Roberts's excellent business-like memorandum. I shall venture to ask you to give your consideration to the details which Captain Mayne and Mrs. Wardroper will give concerning what I have submitted to you in general in this letter. We think that it will be necessary to have a matron for the Sydney Infirmary, trained in the same school that the 'four sisters' asked for are trained in, and we think the staff of assistants proposed rather small.

We venture to lay these things before you, because we always try to obtain for the success of those hospital nursery staffs which we send out, the conditions which in our judgment will alone ensure success.

But I leave Captain Mayne and Mrs. Wardroper to enter into further detail. We shall then trust to receive from you further instructions, and I will now only add, without vain words, that I am deeply touched and pleased at your claiming my poor services, and that

I am, Sir, with great truth,

Ever your faithful Servant,

FLORENCE NIGHTINGALE.

N.B.—I do myself the honour of sending you by this mail the last edition of my 'Notes on Hospitals,' not expecting that you will have time to look into it yourself, but hoping that those who have more immediate business with hospitals will glance over what I have said as to the construction necessary to ensure good nursing and administration. I am sure that it will be a great advantage for our nursing staff, should we be fortunate enough to supply you with one, to work under Dr. Alfred Roberts.

I would also say that I am an invalid, entirely a prisoner to

a couch, but, I thank God, still able to work, and that no delay shall proceed from this circumstance. I did not receive yours of July 21 till October 4, but I had already received notice of its advent from Captain Mayne on September 21. Some little delay, but not much, has occurred in our reply from this circumstance.

F. N.

Colonial Secretary's Office, Sydney,
December 24, 1866.

Madam,—I was much gratified to receive your letter of October 24, and to learn from it that notwithstanding the multiplicity of engagements on your hands, and the unfortunate state of your health, you could find time to take an active interest in the subject of my communication to you. Be assured that your pure Christian services in this matter, as in all others, will be appreciated by your countrymen and countrywomen in Australia, who treasure your name as a noble part of their national history.

You are pleased to allude to the movement in Australia in behalf of the 'Nightingale Fund' some few years ago. Perhaps you will pardon me in saying that, so far from being unaware of what was done on that occasion, it was my hand that wrote the address that was presented to you from this colony. It was my knowledge of your life of great virtue and labour which made me apply to you in the present case with a feeling that I had no right to ask you to undertake an additional burden, and I am happily surprised to find that you so readily devote yourself to this new duty on behalf of suffering human nature in this remote part of the world.

I shall of course be guided by your suggestions in carrying out our plans, and by the outgoing mail I shall cause our Agent in London to be instructed accordingly. Any matter of detail as to the number of ladies which it may be expedient to engage, the time of their departure, or the terms of their individual engagements, is felt to be unimportant in comparison with the complete accomplishment of what we aim at—making the best provision within our power for the efficient management of our hospitals.

The Sydney Infirmary is a large building, but having been erected in the early days of the colony, it is somewhat irregular in its arrangements, but still it is capable of being made a noble

institution. It is beautifully situated on an eminence in the very skirt of the city, the back windows overlooking one of the most glorious landscapes in the world. The hospitals in the country towns are comparatively small, as we have only five towns over three thousand inhabitants.

By the mail of January I will forward to you a parcel of public documents that will afford you full information respecting the colony.

I now tender to you the thanks of this Government, and I am sure I might add, of the whole people of New South Wales, for the devoted interest you take in our welfare as a part of the English nation.

I remain, very respectfully,

Your faithful Servant,

HENRY PARKES.

Miss Nightingale.

In a former chapter I made reference to the outrages committed by bushrangers in the years from 1862 to 1867. When I entered upon the duties of office, one whole district in the Southern part of the colony, embracing an area nearly as large as Ireland, was held in a state of terror by a desperate gang of bushrangers, headed by two brothers named Clarke. The district was full of police, certainly three times the numbers ordinarily stationed in the several localities, but the bushrangers eluded all their vigilance and activity. Their system of 'bush telegraph,' of word of mouth communication, in which women and girls were often the most active agents, was organised and kept up with a completeness and success perfectly surprising. In this the daring horsemanship of the bush boys and girls connected with some of the bushrangers was very striking. A certain class of the small settlers notoriously harboured the offenders. For a time it seemed as if half the population was in league with crime against the defenders of law and social security. The police were outwitted in stratagem and outstripped in speed in their efforts to arrest the criminals.

As the police force was under my Ministerial control, I felt very keenly my responsibility so long as this state of things continued. I lost no time in pressing upon the Inspector-General the necessity for the utmost effort to cope with the wide-spread lawlessness, and I required him to report specially from day to day. Offers to form special parties for the capture of the Clarkes and their criminal associates were made in different quarters. One of these offers was made by John Carroll, formerly an officer of police, and at this time an officer of Darlinghurst Gaol, a man of very considerable experience in dealing with criminals. His conditions were that he should be allowed to select his companions, should be armed in accordance with his own choice and discretion, should be placed in a position independent of the regular police, should be secretly accredited to certain magistrates resident in the district, and should, if successful, receive certain compensation and privileges. After consultation with my colleagues, I agreed on behalf of the Government to these terms. Carroll selected his comrades, three men named Patrick Kennagh, Eneas McDonnell, and John Phegan; the four men came before me and each individually volunteered to serve in the hazardous enterprise, the three latter agreeing to accept Carroll as their leader. After consultation with the Attorney-General (Mr. Martin), I despatched this volunteer party on their mission on September 22, 1866. The following report from Carroll, dated October 7, will read, in the light of the tragic story soon to be told, as a page from a wild romance.

Mr. John Carroll to the Colonial Secretary.

Braidwood, Sunday, October 7, 1866.

Sir,—I have the honour to report, for your information, that, in accordance with an arrangement previously made, I and party pitched our camp within one mile and a half north-east of Clarke's house, ostensibly for the purpose of surveying. We

were delayed in Braidwood waiting the return of Mr. Rodd a week, but in the meantime one of our party (Phegan) had been three times to Mrs. Clarke's and her daughters'. At first he was received with a degree of suspicion, which, however, wore away on his second visit. They (the Clarkes) got Phegan to write out a petition for their son, James Clarke, now on Cockatoo Island. Since we were camped as above, Phegan, accompanied by Kennagh, made another visit, and were received kindly. Altogether our plans were progressing most favourably. On last Wednesday morning Tommy and Johnny Clarke passed about 200 yards from our camp, in the direction of their parents' house. They were well mounted, and we were not in a position to pursue; nor could the pieces we had (revolvers) carry that distance with any certainty; so that, on that occasion, we were compelled to let them proceed unmolested. On the same afternoon two of Clarke's girls rode round our camp, and had a good survey of it and ourselves. You will please remember that until this the Clarkes did not know our position, although they understood that Phegan was employed by a survey party. The girls went past us in the direction of a range in our rear, and shouted as if rounding up a mob of horses. We watched them narrowly, and shortly after they returned towards home we saw two of their dogs coming down the range near which the girls had approached. On the following morning, early, we surveyed the range in twos, and came across a bark gunyah, constructed in such a way as not to be noticeable until one would be right on it. The gunyah presented the appearance of being very recently occupied, and we found two empty bottles in it. From the circumstance of the two bushrangers having been seen by us coming from that direction, and of other collateral evidence, we had no doubt of this being one of their rendezvous, and of being able to secure them in it before long; but we had a better plan in view at the time, and we were waiting its accomplishment or failure before trying their capture as before described.

I have now to relate a most providential escape we all had from being shot, and perhaps riddled to death. We had been surveying a flat near our camp, from 9 o'clock on Friday morning till about 4 in the afternoon. At 4 o'clock we went in a body on a neighbouring range, where we could reconnoitre well. We returned to camp about 6, and had just finished our teas and were standing round our fire, which we always allowed to

die out, when, all at once (it was very dark) we heard the report of a musket or rifle about 100 yards from us. The ball passed right between us, and entered the tree against which our fire was made, just on a level with our heads. We had our arms out in an instant, but before we could discharge them we were fired upon from two opposite directions. Thank God, none of us was touched. We each discharged a shot in the direction of the explosion by the bushrangers, for we had no other guide in aiming, owing to the night being so very dark, which was rendered denser by the mizzling rain which had been falling all day. Our first object, of course, was to get out of the glare of the fire, which was still burning sufficiently to afford a good aim at us by the bushrangers. The Clarkes, and whoever were with them, had evidently lain on the ground, behind trees. I would suppose there were, at least, four of them. We kept up random firing for about five minutes, closing by degrees on the first position taken up by the bushrangers, who always retired on our approach, and in opposite directions. I cannot speak too highly of the courage displayed by the party under my charge. They acted most zealously; indeed, under the circumstances, I thought rashly, in pursuing under such disadvantages. About 8 o'clock we found that our ammunition had been inadvertently left in the tent, and to return to it, from its colour and position, so close to the fire, which would throw the shadow of anyone passing so clearly as to afford a good mark for the fire of the bushrangers, appeared certain death. Kennagh, however (and I cannot speak too highly of his courage), without a moment's hesitation, made a rush to the tent, under cover of our fire, and secured the ammunition. The bushrangers now directed their firing to the tent (which is riddled), but without effect. Kennagh returned to us unharmed. After this the bushrangers ceased firing, and as we had no further clue to their position we remained in ambush the whole of the night, expecting every moment to see the tent attacked, or to be passed by some of the bushrangers. No further attack was, however, made, and when daylight came no traces of them could be found, if I except some balls and a flask half full of powder, which had been dropped by one of them. How we escaped being at least wounded is a mystery; to God we must be thankful, for a narrower escape or a more dastardly attack is not in my recollection.

I am at a loss to know why we should have been so attacked,

for, on the last visit of two of my party to Clarke's house, the remotest suspicion of who we really were was not entertained. I am inclined to believe that we were observed tracking the bushrangers on the mountain and discovering their shelter. However that may be, it has been found necessary to abandon our first plan.

On Saturday morning we went to see Mr. Stewart, J.P., and took him into our confidence. He was very kind to us, and promised to be able to give us valuable information. I may here mention that our firing was distinctly heard at Mr. Stewart's station, which is about the same distance from our late camp as the Police Station at Wallace's. We were nearly a week camped as described, and with the exception of the Clarke's family, never saw any person. The police ride frequently to and from Braidwood, but we have never met them off the main road; and that the Clarkes should infest that immediate neighbourhood with such impunity and so frequently, without being captured, would require some explanation. I have every hope, that when we have a supply of rifles, to bring in, dead or alive, one or the whole of the gang within a month.

Mr. Rodd, who has been very courteous to us, has already written for the additional pieces and ammunition, which I trust will soon arrive.

I hope shortly to be enabled to report to you our success in the expedition.

I have, &c.

JOHN CARROLL.

For the next three months the doomed men continued their efforts to circumvent the outlaws, moving about as a surveying party, in the wild Tingera district. On January 10, 1867, all four of them were shot dead by the bushrangers, who appeared to have fired from an ambush behind some large trees. For ninety days and nights—since the night skirmish described in Carroll's letter—while the special constables were tracking the marauders, the marauders must have been more closely watching them. What incident or new suspicion, or revelation of lawless spy, determined the savage murder at last, will never be known, for it is

morally certain that the lips which might have told the dreadful secret are now sealed for ever. No attempt had been made to rifle the bodies of the dead men; what money or other property they had on their persons was left untouched; and in the case of Carroll, a bank note, not corresponding with those in his possession, was found placed upon his breast, apparently in mockery of his expected reward.

The reign of terror in the unhappy Braidwood district went on under darker distrust and forebodings. Honest men feared to travel the highways by daylight; traders stole forth under cover of night on their business journeys; and insecurity was felt in every home. Increasing the regular police seemed barren of effect. About this time I was invited to visit Mudgee, where I was entertained at two public dinners. On my return journey by the main road (there was no railway in those days) Senior Constable Wright relieved my escort at Keen's Swamp. He accompanied my carriage for many miles; we stayed at a roadside hotel for the night, and his escort continued for several hours the next day. I thus had some opportunities of judging of Wright's character. He was a smart man in personal appearance, and he was singularly alert in observation, noticing the slightest sign of unusual circumstance along the road. I held little chats with him about his experiences in the force, and in the evening I watched his intercourse with the wayfarers at the hotel. The result was that I inwardly formed the purpose to enlist Wright's services to capture Tommy and Johnny Clarke, the Braidwood bushrangers. The next day we met the relief escort in a lone part of the road; I left the carriage, and Wright dismounted; we walked to the edge of the forest, and improvised a sort of bush council of war. I asked the senior constable if he had heard of the depredations of the Clarkes—of course he had; if he knew the Braidwood district—he had never been

there. I finally asked him if he would be prepared to go in charge of a picked party of police to attempt the capture of the notorious bushrangers. He promptly replied that he should be glad to be so honoured and trusted. I gave him orders to report himself in Sydney, and resumed my journey. When I reached Sydney I immediately sent for the Inspector-General of Police. I said, 'You have a man named Wright stationed at Keen's Swamp?' 'Yes,' said he; 'one of the smartest men in the force—a capital officer—an invaluable man!' 'Well,' I replied, 'I have made up my mind to send Wright in charge of a select party of police to attempt the capture of the Clarkes.' 'Oh, that will never do!' exclaimed the Inspector-General; 'it would demoralise the whole force; he is, I assure you, quite unfit for it!' I merely remarked that he had just told me that Wright was 'one of the smartest men in the force.' 'So he is,' replied the Inspector-General, 'in his proper place; but he is quite an illiterate man, unfit for command.' 'Very well,' I rejoined, 'we cannot discuss the matter; I represent the Government, you are an officer of the Government; Wright is to go on this service, and you must assist the Government by assisting him in the undertaking.' Senior Constable Wright selected his men, and went to the scene of the long-continued outrages. In the course of time—not a long time—he tracked the Clarkes to a lonely hut where they were occasionally harboured. For some hours shots were exchanged by the small band of police and the desperadoes in the hut. Wright and his party closed in upon the hut; the brother outlaws were secured, and shortly afterwards they were brought to Sydney, tried, convicted, and hanged. With other arrests and convictions the colony was soon freed from the ravages of the most bloodthirsty gang of bushrangers that ever disgraced it.

Sorely against the wishes of the Inspector-General,

but with the hearty concurrence of my colleagues, I made Wright a sub-inspector, but he had to bear the cold-shoulder of officialism all his life, which was not a long one. My experience is that it is often a mistaken kindness to advance any man in the lower grade of a departmental service without the approving intervention of those above him.

The visit of His Royal Highness the Duke of Edinburgh to Sydney, in the *Galatea*, was unhappily marked by a tragic occurrence which gave me, in common with the whole community, much concern. Prince Alfred, as the people of that day delighted to call him, received a magnificent welcome; triumphal arches of costly and artistic structure, brilliant displays of fireworks, houses aflame with flags, were only in harmony with the exuberant loyalty of the people in proclaiming his landing upon our shores as a memorable event. The young sailor was the Queen's son, and that was enough.

On March 12, 1868, a picnic was given at a favourite marine retreat called Clontarf, in support of building a Sailors' Home. His Royal Highness had accepted an invitation to be present. The following description from the 'Sydney Morning Herald' of the chief feature in the preparation for the festivity will show the interest it had evoked:—

About 11 A.M. the R.S.Y. Squadron rendezvoused in Double Bay, and soon after stood out under the command of Commodore Dangar, whose fine yacht, the *Mistral*, led the fleet, followed by the *Xariffa*, *Vivid*, and eleven others, under fore and aft canvas. When off Bradley's they eased off, ran up the harbour, and rounded H.M.S. *Challenger*, saluting Commodore Lambert's pennant as they passed. They then hauled on a wind and worked down the harbour for Clontarf, where their arrival was watched with great interest. The squadron was the largest ever seen in this harbour, and their appearance, when anchored off the spit dressed with flags, was extremely pretty. The yachts of the Prince Alfred Club, ten in number,

made the trip to Middle Harbour separately, took their positions abreast of the senior club, and dressed with bunting in a similar style. Seen from the shore the effect was striking; the twenty-four yachts, decorated with flags of every hue, and numerous other sailing boats anchored about the bight, with the steamers *City of Newcastle* and *Morpeth* moored at the end of each line, produced as pretty a sight as has ever been witnessed in the harbour of Port Jackson. On the ground a large marquee, neatly fitted up, was added to the permanent buildings on the ground as a luncheon saloon. A handsome tent, with suitable appointments, was pitched on the side of the dell opposite the beach, for the convenience of His Royal Highness and suite. From as early an hour as ten o'clock, when the first steamer departed, it was very evident that the visitors would be very numerous, and when the last boat landed its passengers there were between two and three thousand persons present.

His Royal Highness left the *Galatea* shortly after one o'clock in the steam yacht *Fairy*, and as she passed, about two o'clock, between the steamers and yachts which had been drawn up in two lines near the Clontarf jetty, they saluted by dipping their flags. He was received by a number of gentlemen, members of the committee, and escorted to the marquee, where luncheon had been provided. With His Royal Highness were his Excellency the Right Hon. the Earl of Belmore, and her Ladyship the Countess of Belmore, Viscount Newry, the Hon. Elliott Yorke, Miss Gladstone, Captain Beresford, Mr. Toulmin, and Lieutenant Haig. Places at a central table were reserved for them, and here they were joined by, among others, Commodore Lambert and Mrs. Lambert, his Honour Sir Alfred Stephen and Mrs. Stephen, Mr. Charles Cowper, Captain Lyons, Mons. Sentis (French Consul), and the Hon. John Hay. Sir William Manning was in the chair, on his right His Royal Highness, and on his left his Excellency the Governor.

On leaving the luncheon table His Royal Highness gave Mr. William Manning a donation towards the erection of the Sailors' Home, and was standing in conversation on the subject, when a person who had recently arrived in Sydney, named H. F. O'Farrell, walked deliberately to within two yards of him, and

fired a shot from a revolver, which struck the unsuspecting Prince a little to the right of the spine, and traversed the course of the ribs to the abdomen. The bullet was eventually extracted, and His Royal Highness recovered. But the dastardly attack upon the Duke of Edinburgh's life produced a strange lurid glare in the political atmosphere, and engendered feelings not simply acrimonious and bitter, but almost deadly in the depth and colour of their hatred. Holding the office of Colonial Secretary, and having in my hands the administration of the police, I naturally came in for a little more than my share of the adverse criticisms on the rumours and transactions which followed the attempted murder. The criminal O'Farrell was seriously maltreated by the infuriated crowd at Clontarf, and if he had not been protected by the police and speedily got away from the scene, it is not improbable that he might have been *lynched* on the spot. All kinds of secret conspiracies were conjured into instant existence. Panic seized the imaginations of sensible and sober-minded men. Even the Premier (the late Chief Justice, Sir James Martin), who was by no means a timid man, went about armed, and had his private residence guarded at night by armed men. Nothing is easier than to smile at all this from a comfortable distance of time or space. But the mingled feelings of indignation, uneasiness, and alarm were all but universal, and were contagious to a high degree, and spread widely amongst those who woke up afterwards to affectedly condemn the proceedings. In proof of this state of excited feeling I need only cite the facts that on March 18 Mr. Martin moved in the Legislative Assembly: 'That the Standing Orders be suspended with a view to the passing through all its stages in one day of a Bill for the better security of the Crown and Government of the United Kingdom, and for the better suppression and punishment of seditious practices and attempts.'

That this motion was carried by forty-four to two votes; that the Bill was passed through all its stages, sent to the Legislative Council, passed in the same rapid manner by that body, and returned without amendment to the Legislative Assembly before eleven o'clock at night. Even the persons who a few weeks later did their utmost to make political capital out of the occurrences of that disordered time voted in this precipitate manner for the Treason Felony Act, including Mr. William Macleay. The author of this measure was Sir James Martin, who framed it and conducted it through the Assembly without, as I believe, a single suggestion from any of his colleagues.

I now come to what I think must be regarded by everybody as a painful question—as to whether O'Farrell was insane, or in any degree unaccountable for his actions. After twenty-three years I feel bound to place on record my belief that he was perfectly sane. On the day of the attempted assassination, the police, under the direction of a highly responsible officer, searched the house where O'Farrell had lodged on the previous night, and found in the pocket of an article of dress thrown off by him in his hurried preparation to attend the picnic at Clontarf, a diary, kept in pencil in his handwriting. The genuineness of this diary has been attested on affidavit by the police-officer who found it, and I give the form of attestation in full:—

New South Wales, Sydney to wit.

I, HENRY WAGER, of the city of Sydney, in the colony of New South Wales, the Officer in charge of the Detective Police, in the city of Sydney, in the said colony, do solemnly and sincerely declare as follows:

On the twelfth day of March last, I, by the direction of the Honourable the Colonial Secretary, proceeded, in company with Alexander Baikie, a Sergeant of Police in the Police Force,

Sydney, to the Clarendon Hotel, kept by one David J. Powell, and situated in Hunter and George Streets, in the city of Sydney, and from thence to the Currency Lass Hotel, kept by one Daniel Tierney, and situated in Pitt and Hunter Streets, in the said city.

I visited these hotels for the purpose of making search for and taking possession of any books, papers, and other personal effects of Henry James O'Farrell, who had been then recently apprehended, and was in custody upon a charge of wounding His Royal Highness the Duke of Edinburgh.

At the Clarendon Hotel, at which place I was informed the said Henry James O'Farrell was residing, I took possession of certain books, papers, and other personal effects belonging to him; and amongst the articles so taken possession of by me were the loose leaves of a private journal or diary, in the handwriting of the said Henry James O'Farrell. The leaves of the said journal were in the pocket of a waistcoat which I was informed and verily believe was the property of the said Henry James O'Farrell.

I have carefully compared the handwriting in the said leaves of the journal with the handwriting of the paper given by the said Henry James O'Farrell, as his dying declaration, as to the commission of the said crime of which he had been found guilty, and have no doubt they were written by the same person.

The Honourable Henry Parkes, then Colonial Secretary, and the Honourable the Minister for Works, were present at the time I made search at the said hotel, and when I took possession of the said books, papers, and personal effects.

I read and examined the leaves of the said journal immediately after I had taken possession of same, and I yesterday carefully examined the said leaves of the said journal;—they are in the same state and condition as when the same were so taken possession of by me as before mentioned. The printed paper, hereto annexed, marked as exhibit 'D,' is a true and exact copy of the said leaves of the said journal.

And I make this solemn declaration, conscientiously believing the same to be true, and by virtue of the provisions of an Act made and passed in the ninth year of the reign of Her present Majesty, intituled '*An Act for the more effectual abolition of Oaths and Affirmations taken and made in various Departments of the Government of New South Wales, and to substitute Declara-*

tions in lieu thereof, and for the suppression of voluntary and extra-judicial Oaths and Affidavits.'

HENRY WAGER.

Declared and subscribed before me, at Sydney, in the colony of New South Wales, this 18th day of September, in the year of our Lord one thousand eight hundred and sixty-eight.	}	HOULTON H. VOSS, W.P.M.
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I extract from O'Farrell's diary the following remarkable passages. Some words had been expunged from the manuscript before it fell into the hands of the police, and then followed these abrupt sentences:—

How if I should fail, *quod avertat Deus*, I should never forgive myself. Fail! but I cannot; I am alone, and surely I can trust myself. Oh! that the Orangemen would rouse up the apathetic Irish of these parts; one good effect would follow in English capitalists losing heavily by the depreciation of colonial debentures, and the failures consequent on the colonies being in a state of anarchy. If I had had my will, every English ship in these colonial ports should have been destroyed. Shall I write once more to the dear nine? No; you have written once, and that is once too often, for the P.O. officials are not over-scrupulous about opening letters. Be wary, be loyal to them and to yourself. To think I have not one relation that knows of my proceedings! What will they say? Threaten to inform against me, I'll be sworn. *Go in for the Church!* The idea disgusts me. That is what they would have me do. And yet I cannot get money unless I lead them to believe I am studying for the Church. I did think of doing so once, and it plunged me into fever—the having to decide on loyalty to a Church or to country. What sums I have sent home, and now to be so pressed for money! Still I have enough, with care and common prudence. There is no *tædium vitæ* in me, and yet I am to die in a few days;—let me see;—in two weeks from this, and in tolerable company. It will be a fine soul race to somewhere, or more probably, nowhere, or *nihil*. What nonsense it is to write like this, and yet I find a grim satisfaction in thinking of the vengeance. How the nobility of the three

countries will curse me, and the toadying, lickspittle Press hunt the dictionaries over for terms of abhorrence! But *vengeance for Ireland* is sweet. Woe to you, England, when the glorious 'nine' carry out their programme. There was a Judas in the twelve—in our band there was a No. 3 as bad, but his horrible death will I trust be a warning to traitors. Such another I am confident is not among the nine. Oh that I were with them! For, after all, this thing I have to do for vengeance, and to rouse the Irish here, will cost too dear, as I know I could have done so much more in England. But it is my duty to the R., and I will, if able, do it. What is there to prevent me?

After some further wild, irregular writing, giving vent to his suspicions of persons with whom he had been in communication, and to his apprehension of the police, he expressed his sense of horror at the task assigned to him in the following language:—

That noble nine! Alas, that I should be left behind, and for such a purpose. Oh, for a gallant cavalry charge, not such a thing as this! Oh destiny! It must be done! and it must be done! Fate, fate! A life in irons, in torture, would I rather have had than that the lot should have fallen on me. Was Washington criminal for hanging poor Major André? Was he, seeing he did it in *retaliation*? He did it for his country, and it checked the cruelty of the English. Three of us butchered at Manchester! So some hundreds of the '98' patriots were shot down like dogs in the seething lazar-house. Woe to thee, England, or rather to your accursed oligarchy! It is well.

O'Farrell's conduct in prison was uniformly that of an intelligent, fairly-educated, quietly-behaved man, in the perfect possession of all his faculties, but suffering from the remorseful sense of relief from some unlawfully imposed obligation. He spoke freely at all times of his condition, and the circumstances which led to it. Some of his conversations were taken down in shorthand, and they were all of the same tenor and consistency. There was no hesitation or variation in his statements, nor the least evidence of an attempted hoax.

Under the law of New South Wales, wounding with intent to murder is a capital crime. O'Farrell was tried, convicted, and sentenced to death. Some efforts were made to obtain a commutation of the sentence; but the Executive were firm and unanimous in their decision to allow the law to take its course. Shortly before his execution, O'Farrell wrote a brief confession, the object of which was to unsay—to wipe out as with a sponge—all which he had so persistently and consistently said since the day of his arrest.

The head of the police at the time was a retired military officer of high character and undoubted ability and vigilance. The following is his report on the whole case :—

Police Department, Inspector-General's Office, Sydney,
August 10, 1868.

Sir,—I do myself the honour to transmit herewith the only papers remaining in my possession having reference to the case of the executed convict H. J. O'Farrell, and take the opportunity, in doing so, to express my views respecting the crime for which O'Farrell was convicted, and my reasons for the conclusions I have arrived at.

My opinion, as I have informed the Government from the outset, is that the attempted assassination of His Royal Highness the Duke of Edinburgh was not the unaided act of one individual, but the fruits of the treasonable organisation commonly known as Fenianism; this opinion has been strengthened by after-occurrences and disclosures.

Before the arrival of His Royal Highness the Duke of Edinburgh, the Government were in possession of intelligence, certainly not of a very definite character, that persons ill-disposed towards the English Government would take the opportunity of the visit of His Royal Highness for outrage of some kind; and you will no doubt remember more than once enquiring the nature of the precautions I proposed to take, and whether it would not be practicable, by the means at the disposal of the Government, to obtain more precise information with regard to any seditious movement on foot.

Various means were employed to obtain information, but

the result, though placing it beyond doubt that many disaffected persons, Fenian sympathisers and agents, were in the colony, fell short of evidence definite enough to warrant prosecution.

Corroboration of this, to a great extent, was to be found in many matters noticed by the Press; some attracted more than passing attention, and the publications of an unconcealed treasonable tendency in the 'Freeman's Journal' were viewed with general disapprobation, participated in by leading members of that party whose organ the newspaper was supposed to be.

The outrages that had taken place elsewhere, avowedly sanctioned by Fenian leaders, and the sympathy such atrocious crimes evoked amongst a certain class, gave rise, no doubt, to many of the surmises that some blow would be struck in the cause during the visit of His Royal Highness to these shores.

Following upon the attempted assassination was the culprit's own statement of the object of the attempt, and the circumstances which led to it. This confession agreed with his private entries in the pocket-book afterwards found by the police, and was also quite in accordance with the plans and organisation of similar plots elsewhere, and having an aspect of truth which in my opinion has not subsequently altered.

Whilst there can be no room for doubt that a large class of persons in New South Wales and the adjacent colonies openly sympathised with the Fenian movement, and had no hesitation in avowing their disaffection, yet there are, in my opinion, no grounds for supposing that O'Farrell had accomplices amongst the residents of New South Wales. There are sufficient grounds for concluding that there were Fenian agents visiting the colonies, and correspondence carried on with centres in Ireland and America; and amongst such persons, I believe, O'Farrell's accomplices would be found.

Many persons were known to be active in the openly expressed object of raising funds in the Fenian cause, under the cloak of applying such contributions for the benefit of the widows of Fenian 'martyrs,' and many were leaving for the States. One man, whose property was searched on the eve of his departure for America, by authority of a search warrant under the Treason Felony Act, openly avowed himself a Fenian, but stated he had taken good care not to bring himself within reach of the law. He had a considerable sum in American gold coin, and was, he stated, an Irishman—naturalised in the United

States, to which country he was returning. His papers left no doubt he was a Fenian. The attached extract¹ from the log of the Panama mail steamer *Rakaia*, and communication from the purser, will confirm what I have stated.

The numerous letters threatening assassination, received by gentlemen occupying the highest public stations, shortly following the attempted assassination, must not be forgotten; nor the fact that the threat in one such letter was carried into effect by the attempted assassination of a gentleman whose principles were known to be hostile to those of the extreme Irish party. The other intentions of a similar kind may possibly have been frustrated by the precautionary measures taken.

The last statement made by the convict O'Farrell before his execution is, I think, inconsistent with itself. It has, however, been already the subject of much criticism; and I need only record my belief, founded upon long experience, that dying declarations, made under such circumstances, are seldom to be relied upon.

I have, &c.

JNO. MCCLERIE,
Inspector-General of Police.

Some months before the meeting of Parliament in October 1868, I visited my constituents at Kiama, and, in the course of a speech which I delivered, I said that I held in my possession, and could produce at any moment, evidence attested by affidavits, which left on my mind the conviction that, not only was the assassination of the Duke of Edinburgh planned, but that some one who had a guilty knowledge of the secret, and whose fidelity was suspected, had been foully murdered. In another part of my speech I expressed the opinion that the same evidence would carry conviction to the mind of any other impartial person. These expressions were seized upon by certain newspapers that were hostile to the existing Government, and were made the groundwork of the fiercest and most unscrupulous attacks. I had resigned office on a disagree-

This extract is not published, as the consent of the purser, who is absent from the colony, cannot be obtained. Note at the time.

ment between myself and colleagues about the dismissal of a public servant. But, having regard to the violent attacks of my opponents, and their noisy demands for fuller explanations, I took all the papers in my possession to the Assembly on the opening of Parliament, on October 13, to meet any question that might be raised. On that day an adverse amendment on the Address was moved by Mr. Robertson, which, although negatived by the casting vote of the Speaker, ultimately led to the resignation of Mr. Martin's Ministry; and, in the debate on Mr. Robertson's motion, several members alluded to my position, but only for the purpose of showing that my retirement had greatly weakened the Government. Not a single word was said respecting the statements which had been made at Kiama. The Assembly met for a short time on several subsequent days in October, and on all those occasions I had the Kiama papers in the House, but no one asked for them.

The new Ministry was formed, and it obtained an adjournment of six weeks for the re-elections; and, before the House re-assembled on December 8, I had been chosen by the Opposition to move a vote of want of confidence. It was then, and not till then, that the storm about the Kiama statements commenced. Questions were asked and motions made which clearly showed that the Colonial Secretary's office had been thrown open to Mr. Macleay, the principal mover in the matter, and that this honourable member and the Ministers were acting in close concert. I met the attack by offering to lay the papers on the table of the House, explaining, at the same time, that this could not be done for a few days (the papers being at my residence in the country). But on the 15th, Mr. Macleay moved for a Select Committee, on which he placed, besides himself, Mr. Robertson, Mr. Forster, Mr. Samuel, Mr. Hoskins, and Mr. S. C. Brown, all of whom had declared

their personal hostility to me. The other members were Mr. Martin, Mr. Eagar, Mr. John Stewart, and myself. In his speech in support of this motion, Mr. Macleay prejudged the whole case, and indulged in a strain of violent abuse. I raised no objection to the proposed committee, nor would I have offered any objection had it been composed entirely of my personal opponents, as I felt confident that my character could not suffer from enquiry into my official conduct.

Throughout the subsequent proceedings Mr. Macleay had everything his own way. As he had chosen his own committee without question, so he decided on his own plan of enquiry. In good time he framed his own report (in which worthy work it is believed he had able assistance out of doors), and he selected his own plan of operations in the House. The day for the consideration of his report was also fixed by Mr. Macleay himself, without the slightest regard for the wishes or convenience of other persons.

In due time Mr. Macleay submitted [my writing at this time] in the Legislative Assembly a series of resolutions purporting to be based upon the evidence given before his committee, which were intended to blast my public character for life. The following is a copy:—

That this House—having duly considered the Report of, and the Evidence taken before the Select Committee, appointed on the 15th day of December last, ‘to enquire into, and report upon, the existence of a Conspiracy for purposes of Treason and Assassination, alleged by a former Colonial Secretary to have subsisted in this country, and to receive all evidence that may be tendered or obtained concerning a murder, alleged by the same person to have been perpetrated by one or more of such conspirators, the victim of which murder is stated to be unknown to the police,’—resolves as follows:

(1) That there is no evidence to warrant the belief that the Government was aware of any plot or intention to assassinate His Royal Highness the Duke of Edinburgh, before his arrival

in this country, or at any time previous to the attempt upon his life.

(2) That it does not appear that any extraordinary precautions were taken for the preservation of the life of His Royal Highness, either on the occasion of his landing, or at any period during his stay in this country, up to the moment of his attempted assassination.

(3) That there is no evidence to warrant the belief that the crime of O'Farrell, who attempted to murder the Duke of Edinburgh, was the result of any conspiracy or organisation existing in this country, or, as far as the Government had or have any knowledge, the result of a conspiracy or organisation existing elsewhere.

(4) That there is no evidence whatever of the murder of any supposed confederate in the alleged plot.

(5) That the foregoing Resolutions be embodied in an Address to the Governor, with a request that His Excellency will forward the same to Her Majesty's Secretary of State for the Colonies.

The mover made a long and acrimonious speech in support of his resolutions. I rose immediately upon his sitting down. I did not ask the House to simply negative the motion, but I asked it to omit the resolutions, and substitute others in their place, condemning the report as containing 'numerous statements and inferences not warranted by the evidence'; and I asked it to expunge the report from the proceedings of the committee. The following are my counter-resolutions:—

1. That all the words after the word 'That' in the first line be omitted, with the view of substituting the following:—
'The Report of the Select Committee, appointed on December 15, 1868, to enquire into the existence of a conspiracy for purposes of treason and assassination, presented by the chairman on the 3rd instant, contains numerous statements and inferences not warranted by the evidence, and is made an instrument of personal hostility against a member of this House, in disregard of the authorised objects of the enquiry, and manifestly for party purposes. 2. That the evidence shows

that several principal officers of the Government—who, from their official position and experience, were best qualified to form a correct judgment of the occurrences, and the state of public feeling during the time of excitement previous and subsequent to the attempt to assassinate the Duke of Edinburgh were and are still of opinion that meetings of seditious were and are held in the colony; that the criminal O'Farrell was not alone and unaided in his attack upon the life of His Royal Highness; and that persons openly sympathised with the attempted assassination. 3. That the evidence shows that rumours of intended violence towards His Royal Highness, more or less definite, were in circulation before March 12, 1868; and that some of such rumours have proceeded from sources unknown to the Government at the time, and that, therefore, they supply independent evidence in support of the statements of the official witnesses. 4. That the important results of the enquiry set forth in the preceding second and third resolutions, and also other matters of serious moment, which ought to have been faithfully represented to this House, have been either set aside altogether or improperly and prejudicially dealt with in the report. 5. That this House expresses its disapprobation of the said Report, and directs that it be expunged from the proceedings of the Select Committee.'

I spoke at considerable length, and replied very unreservedly to the mover's charges, concluding with the following sentences:—

In conclusion, I shall content myself with nothing less than what is set forth in my resolutions. I will not submit to having a report so dishonest and so scandalous as I have shown this to be still remaining among the records, to be unfairly quoted at any moment by persons whose capabilities of unfairness we have so often witnessed—to be made a handle of in a nefarious way at the general election, when it is desirable that the verdict of constituencies shall be honestly taken. I take my stand upon this ground, that I am above reproach in this matter—that the committee, with all its malignity and ingenuity, has failed to substantiate a charge against me, and that the charges recoil upon themselves by the unanswerable testimony I have adduced before the House. The laws of honourable dealing are against the authors of this report. The law of God declares 'Thou shalt

not bear false witness against thy neighbour'; and I will not submit to that which would stamp our proceedings with disgrace, and which, if I submit to it, may at some future time fall upon the head of a worthier man.

My resolutions were substituted for those of Mr. Macleay, and passed by the Legislative Assembly by thirty-two to twenty-two votes amidst tumultuous cheering, the members immediately afterwards rising to their feet and giving three cheers for the Queen.

Though it was three o'clock in the morning a large crowd waited outside the House for me, and cheered me to the echo. So ended the 'conspiracy' of bitter sectaries and personal calumniators to destroy me in connection with the unhappy O'Farrell case.

In a book like this, whatever I may have wished to do, I could not omit this passage in my life. There were two objects to be served—to vindicate my own reputation, which I now leave with the facts and explanations placed on record, and to give a clear and definite character to the attempted assassination. It seems to me beyond dispute that the attempt upon the Duke of Edinburgh's life emanated from a plot. It is impossible that O'Farrell, a young man in the prime of early manhood, without any known vicious propensities, rational in all his conduct and conversation apart from this criminal act, without any individual motive to commit the crime, not goaded on by cruel or desperate feeling, could have deliberately made up his mind alone, unaided, and unabetted, to shoot the Prince. On the contrary, his own explanations were rational and clear from first to last, if due allowance is made for the state of mind which any man would be in who had taken an oath to abide by the lot, if it fell to him, to commit a murder. As to the existence of such plots at different times the evidence that has existed is overwhelming. To disprove that O'Farrell was the instrument of some such plot the most tortured construction

must be put upon evidence, and belief must be refused to explanations for which no other explanations can be substituted. I do not seek to connect his crime with any party or section of people; his confederates may have been hare-brained visionaries; but that he attempted to murder the Duke of Edinburgh in obedience to an injunction from others, which horrified his soul, but which he felt must be obeyed, is to my mind abundantly clear.

As I have said, this lamentable occurrence had a thoroughly bad influence on the political life of the country. Crimination and recriminations arising out of it have not yet lost their effect. In our elections thousands of votes have been given under the dead-weight of prejudices contracted from the rancorous animosities of the period. Men who were friends before were never friends afterwards. The one person who remained untouched by sinister influence and free from the ravages of distorted passion was the victim of the outrage, whose conduct under his suffering was in the highest sense commendable from first to last.

I copy in this chapter two letters from Mr. Carlyle which touch upon the chief features of my first months of Ministerial life, including the Edmonton struggle:—

Chelsea, October 22, 1867.

Dear Sir,—Several weeks ago there arrived from you a pleasant and very kind letter, testifying in various ways that you held me in good remembrance, and announcing, especially, that a colonial gift from your hand was on the road for me. Last week, after some little delay, due to certain British railway people, the munificent Sydney box was accurately handed in here, ‘completely safe and correct in every particular’ (as I could now inform the punctual and obliging Mr. Buchanan), ‘and *franco* from the Antipodes to this door!’ So that all this is now a thing successful, faithfully achieved; and I am now in possession of my beautiful ‘Possum rug,’ which I not a little admire, both as a specimen of useful peltry (probably enough ‘one of the *best* rugs’ ever made), and on other still more

human considerations, for all which kind benefits, and for the *warmth* they are all suited to yield me in their various ways, please to accept my grateful acknowledgments and the best human thanks I have. You owed me nothing for 1862, it is rather I that owe you. There are traits and words about those innocent evenings you spent with us which I shall never forget. Your face is still present to me as if I saw it; and beautiful wise things said of you, by one whom I shall now behold no more!

Of the books &c. I made a cursory examination, and have them lying within reach when time allows of more. I had heard, long since, of your official position; which, I can now flatter myself, is of more stability than usual, and likely, on that and other grounds, to be of far more *utility* perhaps! Everybody seems to believe that whatever lies in you of real service to the colony and its best interests will be strenuously *done*. That is all that can be required of a man; and that is required of every man, in office or not in—tho' so very few even try to perform it!

By the newspapers that came with your letter, I see what babble and bother (about Irish priests, and other *mane* objects) an official man is exposed to; like a rider on express, by village dog's barking; but he ought to ride on, as nearly as possible 'all the same,' with the due flourish of his whip, and (if it must be so) with the due passing salutation or lifting of the hat to said village dog, and, if possible, *arrive* before 'the night' do!

I have been greatly shocked and surprised to hear that there is now—owing to abuses of the *land law*, and to internal intrigues—next to no immigration to your huge colonial continent of late; and that your majority by count of heads don't want any! I could hardly be brought to believe it; but it was from a reporter who had evident facilities for seeing, and who had just returned from a long stay in the country. Nowhere in all my historical enquiries have I met such an instance of human meanness, short-sighted, barefaced cupidity, and total want of even the pretension to patriotism, on the part of any governing entity, plebeian or princely! King Bomba, the Grand Duke, Great Mogul, and even the King of Dahomey, may hide their diminished heads! I hope always it is not quite so bad as reported.

A week or two ago I sent off to your address a pamphlet

that had been worked out of me (for I live quite silent for above a year-and-half gone), which would show what my degree of admiration was of the great things we have been performing here lately, with a view to improve Government! Mr. Duffy had another copy, and I sent no third.

Adieu, dear sir; I wish you all success and prosperity, official and other, and beg a continuance of your regard.

Yours sincerely,
T. CARLYLE.

Chelsea, April 27, 1868.

Dear Sir,—Two days ago I received your obliging letter; and am glad to hear that all goes on well with you. By the newspapers you send I sometimes notice what provoking obstruction there is from the Irish Priest species, but rejoice to perceive you can patiently deal with it, and victoriously do some good in spite of it and other anarchisms and deliriums! For your two Enactments about Schools, it is certain all men are obliged to you more or less, and above and before all, your own colony in its present posture.

Poor England will have to prepare herself for quite other disasters, atrocities, and brute anarchisms at home and abroad . . .!—Did you see in the last *Westminster Review* an amazing and indeed quite unique Article on the Colony of Victoria? If any of your Melbourne &c. Newspapers *can* essentially contradict and extinguish it, by all means let the feat be done! Hardly elsewhere in this universe have I seen, both as regards ourselves and those ‘patriotic’ Melbourners, a more accursed-looking thing! But I had better hasten to do the small bit of service you ask, and shut up the *Pandora's Box* in other respects.

Here are two Photographs; one of which you are to choose for yourself; the other by some opportunity you may convey to Mr. —

With many kindly regards, and best wishes for your prosperity, official, domestic, and personal,

Yours sincerely,
T. CARLYLE.

One of the early matters that attracted my attention in office was the condition of the asylums for the

insane. Books on the treatment of lunacy, prison discipline, and the care of destitute children, had found a place in my general reading, and had awakened in my mind a deep interest in the consideration of such questions. The principal asylum was situated on Turhan Creek, about eight miles from Sydney. I visited this institution soon after my assumption of office. There was no sign of garden, or cultivation of any kind in the grounds surrounding the building; the building itself presented some features of architectural design, but the first noticeable evidence of the condition of the interior was seen in locked doors and barred windows. I had sat on committees of the Legislature where evidence had been taken as to the management of this institution; but such enquiries had been almost wholly confined to trumpery charges of peculation in the stores, or official favouritism, or negligence in appointments. Inexperienced as I was, it struck me at once that the root of the evil was much deeper, and that the management was radically wrong. The prison-like condition of the whole establishment was to me appalling.

About this time, a gentleman who held the position of surgeon on a ship of war in the harbour applied to me for an order to visit and inspect the asylum. This was the present Inspector-General of the Insane, Dr. Frederick Norton Manning, whose services in the humane cause of the proper care and treatment of the insane have since made his name eminent beyond the colony of New South Wales. In several conversations with Mr. Manning, I became convinced that he was the sort of man which the Government wanted in carrying out a thorough reform in our methods of treatment, and I proposed to him that he should obtain his discharge from the service to which he was then attached, and accept the principal office in our department of lunacy. This he assented to. In the first place, however, Mr.

Manning was commissioned to visit Europe and America to enquire into, and report upon, the whole subject of the care and management of the insane as illustrated by the plans of construction, economic arrangements, and systems of treatment, in the best-known asylums. His instructions were full and precise in these respects ; and he was accredited to the Imperial Government with a request that he might be officially introduced in foreign countries. Without loss of time Mr. Manning proceeded on his mission, and, having faithfully accomplished it, in due time he returned to the colony. He returned just as I was quitting office, through an unfortunate disagreement with my colleagues about the dismissal of a civil servant where I thought a wrong to an upright officer had been done ; but the work so well begun was carried on with a noble purpose and singular aptitude by Mr. Manning. His report has been acknowledged by eminent authorities as an able and a valuable work on the subject.

In 1868, when Mr. Manning took charge, the Government had two asylums, one at Turhan Creek and one at Parramatta, and a private asylum had just been opened under authority. The total number of inmates was 1,230 ; their unhappy condition has already been indicated.

Dr. Manning, with whose valuable services and successful work we have now to deal, soon discovered a fine taste and a well-informed judgment in treating the natural surroundings of the asylums, as well as great skill and activity in reorganising and systematising matters within. He proved himself to be a man of much culture and refined habits of thought, whose heart was in his work. When he took charge, in 1868, to quote his own words, ' the buildings used for asylums were grim without and comfortless within ' ; to a large extent they consisted of erections in former times for prison purposes. These have now been wholly abolished,

and the new buildings which have taken their place, or occupied new ground, have been erected on the most improved plans, with a view to the healthful care and comfort of the inmates. The dormitories are airy and pleasant; the living rooms are enlivened with pictures and singing birds. All the courtyards contain pet animals and birds. The surrounding grounds have been converted into beautiful gardens, and the outside walls of the buildings are aglow with the bloom of luxuriant creepers. Spacious rooms have been built, where on the Sunday religious services are held, and frequently in the evenings of the week concerts or other entertainments are given to the patients, who are allowed much freedom, many of them engaging in light employments. In their out-of-door life they are permitted and encouraged to take part in innocent games.

On November 30, 1891, the total number of insane persons in the asylums of New South Wales was 3,151; but relatively to the increase of population there has been no positive increase, while in England and in other countries during the same period the relative number has increased absolutely. Throughout the period since 1868, the proportion of insane persons to the general population has remained about one to 380. Much has been done, under the supervision of Dr. Manning, in the classification of patients, and in the separation of distinct classes, such as criminals, confirmed idiots, and chronic cases of suffering. In the system established there has been a marked improvement in methods—the patients are more individualised, and the whole treatment adopted is based on hospital rather than on asylum principles. Few things have been more creditable to the colony than the thorough reforms of the last twenty-five years in this province of administration.

During the first period of my official life, it became my duty to give effect to the Industrial Schools Act passed in 1866. I purchased the merchant vessel

which for the last twenty-four years has borne an honourable reputation as the Nautical School Ship *Vernon*, still floating on the waters of Port Jackson, but shortly to be replaced by a finer and more roomy ship. This Institution has been the means of educating and starting in a safe course of industry many hundreds of boys who, it is almost a certainty, would otherwise have perished amidst the haunts of vice and misery. Fortunately, from the first it has been under excellent superintendence; and few visitors ever leave it without a good word for the admirable training which the boys receive. The *Vernon* has sent out into the world 2,348 destitute boys (December 31, 1891), of whom less than 10 per cent. have appeared as the subjects of bad or doubtful reports afterwards. An industrial school for girls has not been so successful, though it has done good work in the rescue of female children from neglect and ruin. Soon after the establishment of this last-named institution, a revolt occurred among the inmates, and I quote here a letter which I directed to be addressed to the superintendent on the occasion as containing my views of the character and objects of the school and the qualities necessary for its conduct and success:—

Colonial Secretary's Office, Sydney, July 22, 1868.

Madam,—I am directed to inform you that the Colonial Secretary has had under his consideration the case of insubordination among the inmates of the Industrial School of which you are Superintendent and the conduct of yourself and the other officers in relation to this occurrence. He has read the documents noted in the margin and has taken much trouble to obtain a correct knowledge of the cause of the late disturbance, in order that the most effectual measures may be adopted to guard against any similar disorders.

Mr. Parkes regrets that the evidence before him leads to the conclusion that throughout these unfortunate occurrences much blame is justly attributable to yourself as Superintendent. No person who has not fully considered its objects is justified

in undertaking the management of an Institution like that which has been committed to your charge ; and the person who accepts so serious a responsibility ought to keep its objects always in view. Representations of the bad behaviour of the inmates cannot be received in apology for the injudicious conduct of the officers. Sufficient self-restraint should be exercised at all times to avoid irritating language or inconsiderate punishment in the treatment of these children. Hurry of the moment, heat of temper, or personal annoyance on the part of the Superintendent is no excuse for ill performance of duty. The school has not been founded for good and obedient children. The Superintendent is not wanted to take charge of children who have been properly instructed and trained. The Legislature wisely sanctions the large expenditure required for its support, to provide a home for the homeless, to establish a moral authority over those who, it may be presumed, have hitherto known little of parental control, to instruct by precept and example a class of helpless young creatures whose only title to be received into such an Institution is that they have been neglected by their natural protectors and allowed to sink into a state of ignorance and vice.

If this is a correct view of the objects and character of the Institution (and the Colonial Secretary does not think that you will take exception to its correctness), much of what you have said in explanation of the late disturbance and of your own conduct must be held to be of little value. It explains nothing to say that the difficulty of management lies in the vicious dispositions of the inmates, for it is in dealing successfully with those vicious dispositions that the Institution has its use.

The Colonial Secretary is not disposed to attach undue weight to the statements of the refractory girls that you on several occasions upbraided them in unbecoming and unseemly language. He has not failed to notice that in the worst expressions complained of, supposing that words of the kind were used, the meaning may have been easily misunderstood or perverted by the class of minds to whom they were addressed ; and, knowing the high character you have borne, he cannot bring himself to the belief that you could be provoked into the use of language so unwomanly and gross as is attributed to you in some cases by the testimony of these girls. But the fact that charges of so unseemly a character have been made against you should

convince you of the necessity of being at all times circumspect and self-respecting in the language you address to the inmates and in your whole conduct towards them. In a manner unknown to themselves they look to you for an example. If not to you, to whom can the poor creatures look? One of these young girls, in her evidence before the Inspector of Public Charities, expressed herself in touching terms of reproach. 'We thought we came here to be reformed!' So it will ever be, if the thought is suffered to find a resting-place that they are not treated in accordance with the professed anxiety of the State for their moral improvement.

Mr. Parkes is of opinion, however, that the evidence before him shows that your language to the inmates has often been hasty and inconsiderate, and sometimes petulant and unnecessarily harsh. To upbraid these unfortunate girls with their former courses of life or the failings of their parents would be heartless and cruel, and could have but one tendency—to harden them against all amendment and to embitter them against their instructors. Though you deny that you have done this in the direct phrases attributed to you, I am to express regret that there appears to be ground for believing that the feeling must have made itself evident in some form or other in your intercourse with the girls. Mr. Inspector Walker reports that some of the girls made these complaints with unfeigned reluctance and grief; and it cannot be easily believed that girls, however abandoned, would invent charges of this character.

It is observable also from the evidence that there has not been sufficient regularity, order, and decision in the arrangements of the Establishment. The duties of each office should be clearly defined and should be of a character not to interfere with the duties of any other. In no case should you as Superintendent give an order without seeing that it is carried into effect, but you should be very careful not to give an unnecessary or an imprudent order. The whole of the officers should be enjoined to conduct themselves at all times with a due regard for the usefulness of the offices they respectively hold, and without any undue familiarity with the inmates; and to maintain authority and command obedience more by a consistent observance of the rules of kindness and humanity than by resorting to means of coercion and punishment. And it is thought that in so commodious a building the means of classification might be devised by which the elder girls could be separated from the

younger ones. Any such arrangement would be salutary in its effects.

Mr. Parkes is glad to observe that the faults in your management are for the most part errors of judgment. No one charges you with inhumanity or neglect of duty. For this reason, and also in consideration of the difficulties inseparable from the organisation of a new Establishment, you will be retained in charge of the Institution. But I am to direct your earnest attention to the suggestions of improvement which have been made with a view to more effective discipline.

I have the honour to be, Madam,

Your obedient servant,

HENRY HALLORAN,

Under Secretary.

CHAPTER X

**VOLUNTARY SEPARATION FROM MY CONSTITUENTS—GLOOMY OUTLOOK
—EMPLOYMENTS IN ADVERSITY—WRITING FOR THE PRESS—OPEN-
ING OF THE TRANS-PACIFIC MAIL ROUTE—RE-ELECTION TO PAR-
LIAMENT.**

IN the year 1870 I was overtaken by commercial difficulties which rendered it necessary for me to resign my seat in the Legislative Assembly. For some years I had represented Kiama, a beautiful and prosperous district on the Southern coast; the electors had always treated me with generous confidence, and our relations were such as made the position of representative unusually easy and pleasant. But I declined to offer myself again as a candidate, from a keen feeling of humiliation under my misfortunes. My friends, however, determined to nominate me, and, though I was opposed by a resident landholder of large local influence, I was elected by a large majority. The following letter which I addressed to the electors in acknowledgment of the marked honour conferred upon me will show the state

of feeling under which I laboured at the time, and the uneasy views I held of the successful issue of the contest.

To the Electors of Kiama.

Gentlemen,—In my absence, and without my consent, you have re-elected me to the seat which, by four previous elections, you entrusted to me as your representative in Parliament.

I hope I shall be pardoned if I acknowledge that I should have been glad if your choice at the present time had fallen upon some other person identified with the political interests I have advocated. I believe it would have been better for myself, and perhaps better for all, if I had been left at liberty to take my own course, uninfluenced by any public considerations. Nor can I shut my eyes to the truth that it is not desirable that persons in my situation should be elected to the Legislature.

I feel, nevertheless, I hope with becoming gratitude, that you have conferred upon me a great honour, and that I ought not lightly to disregard your wishes after this manifestation of your continued confidence, which has been marked by a majority of votes in my favour in every part of the constituency. Putting aside the advice of friends, who, I fear, set too high a value on my ability to serve the public, I do not think I should be justified in causing you the trouble and annoyance of another election by declining to accept the duties and responsibilities of your representation.

I am, Gentlemen,
Your obedient servant,
HENRY PARKE.

Sydney, November 8, 1870.

In due time I took my seat. Strange proceedings had attended the formation of a new Administration which had just been sworn. The chief of the retiring Ministry had been appointed to the high office of Agent-General in England after his defeat in Parliament and before his final relinquishment of office. The leader of the Opposition in the late Ministerial defeat and a leading member of the defeated Ministry had, without any new circumstance to bridge over their political differences, coalesced in the new Government. My first speech was

delivered in condemnation of the appointment of Agent-General. The leading journal of the colony next morning came out with a volley of abuse against me for my speech; admitting that the appointment was bad, said the critic, I was not the person to condemn it. Incredible as it may appear to strangers, and quixotic as it appears to myself at this distance of time, I thereupon resigned the seat to which I had just been so handsomely elected. Without taking time for calm reflection, I contended that if I could not deal with all questions with unimpaired privilege and untrammelled judgment, I ought not to be in the House at all. After all the electors had done for me, that was their reward. Yet the generous people of Kiama to this day, whenever I can spare a day to go amongst them, receive me with kindness and enthusiasm.

The prospect before me was gloomy enough. I had stripped myself of the conventional importance that attaches to a seat in Parliament. I was penniless; I was deserted by many who had profited by my friendship in former days. But throughout my life my heart has always been most buoyant and strenuous in the face of difficulty, and it did not fail me then.

A gentleman, an old resident of Sydney, who had made some money at the diamond fields of South Africa, had lately returned to the colony; and he took it into his head to start a daily newspaper. He offered me employment, which I accepted. It opened to me a medium for the expression of my opinions on current events, and it afforded me the means of subsistence. For some weeks I worked day and night on this paper. The following is one of my articles at this time, which I select because it treats of the state of public matters to which reference has been made and also deals with a subject of the highest concern to the friends of constitutional government.

‘PUBLIC AFFAIRS.

‘We belong to no party in politics. But there are questions that transcend all party considerations, and rise to a magnitude of national importance in the light of our present interests and our future destiny. It seems to us that more than one such question rises to notice from the late Ministerial changes. As Sir James Martin told the electors of East Sydney, it matters little to the people what set of men may be receiving the rewards of office so long as good government is secured to the country. It may be that a doctrine of political morality so irrefragable would look better if it were enforced by some one not directly interested in preserving things as they are. Its soundness cannot be disputed. It matters very much however by what means Ministers are brought into existence and sustained in power. Parliamentary government, as it has been worked out by our countrymen at home, has depended for its unexampled success much more upon a sense of political honour, upon rules of individual action clearly recognised although unwritten, and upon the observance of party obligations, than upon any principles of government laid down by Locke, Beccaria, or Jeremy Bentham. And we hold to the belief that unless the same rules of political conduct, the same landmarks of constitutional usage that have guided English statesmen, are adopted by those English colonists who are trying the experiment of governing themselves, Parliamentary government as transplanted among them must be more or less a failure. Though the opposite of absolute despotism, the form of government under which we live is capable of being made something worse than any despotism that is still sustained by high personal qualities, if our public men should cease to follow the guidance of those whose patriotic virtues have created and preserved it in England.

‘We shall not concern ourselves just now with the rumours freely circulated of the share which persons unconnected with Parliament are said to have had in the formation of the new Administration. The public may hereafter be better informed on that subject by the discussions in the Assembly, and we are desirous of laying upon ourselves at all times the restraint of correct information. But it has been stated authoritatively, and has not been denied by anyone, that proceedings took place with the concurrence of Sir James Martin, after he was called to the assistance of the Governor, which we venture to say are unprecedented and must be felt as a reproach to our free institutions.

‘A meeting of the Opposition in the Assembly, regularly convened by circular, was held to consider the claims of gentlemen to be raised to the position of advisers of the Crown. Of course, the members at such a gathering would meet on equal terms. The youngest and least experienced would have his voice in the consultation like the oldest and best informed, and every member of a legislative body soon finds out that there is something inherent in his relation to the State which gives his voice a potency. Gentlemen whose sagacity had never soared above the points in a breed of cattle or the grazing capabilities of a sheep run, would suddenly have to decide upon the capacity of their friends for statesmanship, and few men are disposed to rate themselves incompetent for any task flattering to their intellect which others assign to them. Modest members who had often felt the need of advice in giving their votes on simple questions before the House, would now be privileged to say who should represent Parliament in the Executive Council, and be entrusted with administering the affairs of the country. Everyone who was happy enough to form a twenty-ninth or thirtieth part—whatever may have been the exact proportion of numerical strength—of Her Majesty’s Opposition, was

at liberty to put his spoke into the new wheel of State. There was no obstacle to his taking his turn at Cabinet-making except his unavoidable absence.

‘Now, it must be obvious that the recognition by Sir James Martin himself of an assemblage of this character was a step towards making Government a delegacy from a mob, a small and privileged mob it may have been, but nevertheless a mob in all the essentials of acting without authority or accountability. Its suggestions and counsels, if acted upon, could lead to nothing but embarrassment and weakness, and if it never was intended to act upon them, it was nothing short of deception to countenance it. No wonder that the result of this meeting gave satisfaction to nobody.

‘The notable expedient of balloting for Ministers which arose out of the abortive proceedings at this meeting is worse still; and enough to make all sensible people feel ashamed of our political leaders. A grave gentleman starts the objection that it will be unpleasant to discuss the merits of his friends in their presence, and suggests that each member shall take a list of the Assembly, mark off the six names of his choice, and hand it in to the man who holds the fate of all in his hands. This plan, which might have formed part of some design to make Government ridiculous, is gravely adopted by the assembled legislators, apparently without any suspicion of the folly of the thing, and it receives the approval of Sir James Martin, with the saving qualification that he should not consider himself bound by the result of the ballot. Could anything be devised more outrageously opposed to the spirit of Responsible Government or more devoid of the sanction of constitutional practice? Who ever heard of an English statesman, holding his Sovereign’s commission to form a Government, taking the opinion of his followers in detail, or assenting to a general ballot for his colleagues?

‘ The scheme of Parliamentary government supposes that a small band of superior men in whose political character and administrative capacity, as a whole, the Legislature has confidence shall govern us so long as they can retain that confidence. The grand security for good government by these men consists in their direct responsibility to a larger body of men, who, in their turn, are responsible to the whole people. But it has never been proposed that these rulers should be elected, directly or indirectly, by the representative body. When a Ministry retires, the practice has been for the Crown to communicate with some member of the Legislature, not less distinguished by his knowledge of the existing political situation and his acquaintance with contemporary political characters, than by his talents and his public services ; and he is communicated with because he possesses this knowledge which is supposed to qualify him in a special manner to select the other high servants of the Crown. In the execution of this great commission he is responsible at the same time to the Crown and to the people’s representatives. For either to interfere with his execution of this task would be to diminish to the extent of that interference the responsibility which ought to rest upon him alone. The function of the Crown is to see that he is equal to the duty imposed upon him ; the function of the Legislature is to see that he honourably performs it.

‘ We ought not to feel surprised, however much we may regret, that the preliminaries to which we have adverted are speedily followed by negotiations and combinations that shock our sense of political propriety. And herein lies the danger to the people. It is this that makes matters, trifling in themselves, of the highest concern to the well-being of the community. Once off the rail, who can answer for the engine which so far has carried the train with speed and security ? Those who resort to means that amaze the community

to obtain power are not likely to stop at trifles in retaining it. But the mischief will not end with their retirement from office. The next set of Ministers may commence their deviations from the Constitution, not from the original landmarks, but from the marks left by their predecessors. We may live to see a Ministry balloted for in fact, and an Executive Council sworn under the dictation of some person unknown to the Constitution.'

While I was engaged in this temporary journalistic work, an American gentleman, Mr. H. H. Hall, who had established a line of steam vessels between Sydney and San Francisco, proposed to me that I should accept the position of his agent in endeavouring to obtain the support of the several Australian Governments to his enterprise. No service could have been more congenial to me, and I accepted the proposal without hesitation. I believed Mr. Hall to be a man of indomitable energy, and of large practical knowledge of the business he had in hand, though I knew him to be crippled in means, and I had great faith in his ultimate success. As a member of the Parliament of New South Wales I had, from the earliest initial steps, given my warmest support to the Trans-Pacific route for postal and commercial communication, and I entered upon the duties I now undertook with zeal and perseverance. I visited all the other colonies, and in all I met with the most friendly greetings. All the Ministers gave me their patient attention, with no greater discouragement in any case than that arising from the closer pressure of questions of immediate urgency. Especially Sir Arthur Palmer in Queensland, Sir C. Gavan Duffy in Victoria, Mr. Justice Boucaut in South Australia, and the late T. G. Chapman in Tasmania, extended to me the most marked attention and personal kindness.

All questions relating to the future of the Pacific are full of interest for intelligent men all over the

world. Its many groups of fertile lands—the least known the most valuable in view of civilising agencies and the extension of Australian commerce; its comparatively untracked fields for maritime enterprise, these will present to coming generations vast attractions not dreamt of by men of to-day. All relating to the early movement for uniting America and Australia by a chain across the Pacific Ocean must be fraught with abiding interest for enquiring minds. While in Melbourne I addressed the following letter on the subject of my mission to the members of the Victorian Parliament:—

Melbourne, August 22, 1871.

Sir,—I beg permission to address you, as a Member of the Legislature of Victoria, on a matter which I think you will admit to be of public importance. The subject is the expediency of this colony granting support to the Mail Line of Steam Packets established by Mr. H. H. Hall, between Australia and America, in connection with the postal communication now opened across the North American Continent to Europe. In order that I may not be misunderstood, I desire in the first place to explain the position I occupy in asking your attention.

In April last Mr. Hall applied to me in Sydney to visit the other Australian Colonies as his attorney, to represent the claims of his Mail Service to the support of the Australian Governments. Having time at my disposal, at least for a few months, I undertook the mission he proposed, and it is in that capacity that I now address you. I may, however, state that I should not have engaged myself in this duty if I had not felt, as an Australian legislator for the last seventeen years, a deep interest in extending our scheme of International intercourse, call it by what postal name you may, to the great English-speaking communities of America; and it is probable that if this had not been the case no application would have been made to me on the subject.

It will be best to explain also the circumstances in which Mr. Hall seeks the support of Victoria, and that of the other colonies. As the great Trans-Continental Railway which unites the Pacific and Atlantic shores of the United States

approached completion, Mr. Hall conceived the idea of establishing regular postal communication with America and Europe, by running a line of Australian steam packets to Honolulu, to which port a line of American steamers was already running from San Francisco. The colonies of New South Wales and New Zealand entered into an agreement to subsidise this pioneer service for twelve months, the amount contributed by New South Wales being 10,000*l.* As the vessels under this contract had to make the *détour* of New Zealand, their voyages were open to the objections of unnecessary protraction and of encountering unnecessarily tempestuous weather. During the twelve months Mr. Hall visited America to arrange for the punctual transmission of mails across the Continent, and to effect other improvements of the service; and on the expiration of his contract, in March last, he reorganised the line by running his packets on the direct route *via* Fiji, and through the whole distance to San Francisco, without any change of vessel or unnecessary delay at an intermediate port. I enclose a chart of the mail route as now decided upon, giving the distances of each principal division, and the various steam postal connections with other parts of the world.

The present line consists of the three finest steamships of the Australasian Steam Navigation Company's numerous fleet (which fleet includes upwards of thirty vessels), and the owners are prepared to engage themselves to build other ships to meet the increasing demands of the service. I enclose some particulars of the character of these vessels, and also of the charterer's arrangements for the satisfactory conveyance of mails and passengers.

It is this service, in the hands of the originator of the Pacific route, based upon an experience gained by sixteen complete voyages, and reorganised with the view of affording the greatest amount of advantage to these colonies, which Mr. Hall has brought under the notice of the Government of Victoria, with the hope of receiving a subsidy towards its maintenance. The Parliament of New South Wales has, by a very large majority, granted a subsidy of 15,000*l.* per annum to the new service. I respectfully submit that this line of mail packets in actual operation is a very different thing from any proposal, let it be made by whomsoever it may, to bring into existence an Ocean Mail Service at some future time, with all the inevitable obstacles and possible casualties which lie in the

region of experiment before it. As to the chain of communication thus established, I cannot for a moment conceive that any person whose mind is accustomed to the treatment of large affairs will regard merely from a point of local interest the questions, in a great measure profoundly social and political, which it opens for consideration.

The postal and commercial advantages of the new Mail Line through America to Europe are undeniable and manifold. The direct route across the Pacific pierces, as it were, the Fijian Archipelago, which fertile and beautiful islands already are partly occupied by a numerous British community, and are manifestly destined to become an extensive field for industry and commerce. More distant, it connects Australia with the prosperous little kingdom of the Sandwich Islands, and it terminates at the great commercial city of San Francisco. From this point regular lines of communication branch off to Vancouver's Island and British Columbia; to San Diego, Mazatlan, Manzanillo, Acapulco, and Panama; to Guayaquil, Callao, Cobija, and Valparaiso; to China and Japan. Along the Trans-Continental route the places of importance in the interest of civilisation and human progress are too numerous to be touched upon here; but Ogden, Omaha, and Chicago stand out as marvels of the conquest of nature by the indomitable forces of our colonising race. The land journey ends in New York, whence communication is frequent and easy to all parts of the Dominion of Canada, to the West Indies, to all parts of the Atlantic coasts of North and South America, and to all parts of Europe. The finest steamships afloat leave New York every day for England.

It is impossible to contemplate the immense populations speaking the English language, numbering from 70,000,000 to 80,000,000 of souls, including the most adventurous and inventive powers of industrial enterprise, the highest forms of social culture, and the most honoured sources of intelligence and thought, which this scheme of postal and living intercourse connects intercommunicably in all the interests of civilisation, without being impressed with the beneficial influence it must exercise on the progress of these colonies, so far as reason can forecast the results that are yet unrevealed in the future. I venture to think that, as with nations, so with communities endowed with as many of the attributes of nationhood as these colonies possess, there are higher objects to be kept in view

than the mere achievement of material prosperity. To be indifferent to the intellectual life, the political tendencies, and the social manifestations of the great communities in America which owe their origin to the same national stock as ourselves, would be to betray an insensibility to our gravest responsibilities as an undivided Australian people. The sister States of America, and the sister Provinces of Australia, whatever may be the forms of government in which their free aspirations seek security and rest, ought to grow up side by side in friendly intimacy and honourable emulation, warning each other from internal dangers, instructing each other in national development, strengthening each other by the example of moral effort, and supporting each other in the defence of freedom. As time rolls on, all that is good in the laws and literature of the elder offspring should be reflected back in the laws and literature of the younger. The Pacific Ocean that lies between them—the calmest and most beautiful of oceans—should be the accepted type of the calm and glowing friendship uniting them as the two foremost powers of Christian progress in the next century.

I hope I shall be readily pardoned in speaking to you of these higher political considerations, apart from the value of this Line of Steamships for the delivery of mails and the purposes of commerce. It seems to me that the benefits of the Mail and Passenger Line through America would be extended in a new direction by maintaining the Suez line in conjunction with it. Thus would be formed, so to speak, an open pathway round the world, distinctly marked out, and on which time might be reckoned with something like accuracy, touching upon points of ancient historical interest, and passing through countries rich in the newest marvels of industrial life and activity. In such a world-wide circuit of communication, Australia would be the mid-way resting-place; and it cannot be doubted that, with such means of regular intercourse, a continuous stream of visitors from among the educated and affluent classes of Europe would pass leisurely and observantly through the Australian Colonies; some carrying away with them to other countries a living knowledge of our conditions of life and prospects of advancement, and others settling in our midst with new stores of capital and intelligence. Information respecting the colonies, acquired and disseminated by the instrumentality of influential persons of this class, would be of more value than all the reports, lectures, and books, without the same authority,

that could be issued. The postal facilities of such a system would be complete, embracing the Indian Empire and other parts of Asia, with which it is necessary to keep up regular communication.

Being aware that the Cape route to Europe finds favour in a special manner with many intelligent men in Victoria, it is with deference to their opinion, and diffidence in the expression of my own, that I submit for consideration some objections to that route. None of the results of a political and social character which I have endeavoured to indicate can be secured by it; and I need not add that postal communication with Fiji, the Sandwich Islands, and America cannot be so secured. It would afford us no compensation for closing our communication with India and China. Our limited experience of steam navigation by the long sea route is sadly chequered by our recollection of the disasters which have occurred in the cases of the *Royal Charter*, the *London*, and the *Queen of the Thames*. But those disasters will be accounted for by circumstances peculiar to each case, and it will be said that they did not in any way arise from the proper course and destination of the ships. Leaving out of sight, therefore, the great proportion which the lost vessels bear to the number of steamships hitherto employed in the navigation, and confining the question to what is known as the Cape route, without reference to past accidents, we still have to reconcile its practicability as a mail route with the unalterable laws of nature which array the elements against it for several months in the year. Nor is it prudent to ignore our knowledge that one line of steamers which attempted it some years ago ruinously failed. If stormy seas and heavy gales have to be conquered by increased power of steam, not only increased cost but increased discomfort and increased liability to accident must be taken into account. It can scarcely be supposed that passengers, travelling for pleasure or for information, will prefer the voyage by way of the Cape, with its unbroken blankness and dreariness, to either of the other routes, where the monotony of a long journey is relieved and enlivened by frequent changes of scene and many new objects of interest. It is only as an immigrant route, and then with powerful steamers under subsidy, that the Cape route, as it appears to me, would confer advantages on Victoria, and those advantages, I still venture to think, would be shared in common with the other colonies. The immigrants, once landed in Melbourne,

would disperse themselves, so long as the passage from one colony to another could be made for twenty shillings, wherever the remuneration for labour, combined with other circumstances, seemed to present the most attraction.

An Ocean Mail Line connecting Australia with Europe ought to be, and in its nature is, a federal service. The more widely and generally it extends its operation, the more valuable it is to each community, and to every member of each community, that participates in its benefits. I should consider it a great mistake for New South Wales to relinquish her interest in the Suez Mail Line, though her mail delivery by that route is much later and attended by much less convenience than that of South Australia or Victoria; and I believe the public opinion of the colony accords with this view. Yet New South Wales alone of the Australian colonies has had to bear the expense of opening the American route. For two years she paid at the rate of 55,000*l.* per annum towards subsidising the Panama Mail Ships, and up to this moment she is the only colony of the Australian group which has supported by a subsidy the Line *viâ* San Francisco. It would not be easy to prove that New South Wales has any interest superior to that of Victoria in opening this line of communication. The settlements on the Pacific Route are equally markets for the one colony as for the other; and the intercourse of Victoria with America is greater than that of New South Wales.

In fact, the proposal I have submitted to the Government of Victoria on behalf of Mr. Hall is, that Melbourne shall be the terminus of his line of steamers, asking an additional amount of subsidy to cover the additional cost of such modification of the service. In this case, the ships of the trunk line would depart from and arrive at Melbourne *viâ* Sydney, Levuka, and Honolulu, the time for the delivery of the Mails in both directions between this port and San Francisco being thirty-three days, and between this and the port of Liverpool forty-eight days, subject to the usual penalties. It is probable that Queensland will be connected with the main line by a branch steamer running between Moreton Bay and Fiji, and that a branch steamer will also run between Fiji and New Zealand, as marked on the accompanying chart.

I have the honour to be, Sir,

Your most obedient servant,

HENRY PARKES.

Mr. Hall failed at this stage of his enterprise by the steamers placed under offer to him being withdrawn by the Company to which they belonged, and my connection with him came to a sudden close. But he was a man who knew nothing of any such word as 'defeat'; and in a short time he managed to get ships built on the Clyde to his own designs for the service. By this time I had returned to political life, and was in office at the head of my first Administration. Mr. Hall obtained a contract from the Government, negotiated by Sir Saul Samuel, and he successfully established the service. Eventually he was superseded by his principals on the ground of the necessity for a more practical man to direct the management. Mr. Hall was one of those 'dreamers' to whom the world owes so much—who do things while others are considering the best means of doing them, and who never acknowledge that they have been outdone. In some disgust he returned to America, and a few years afterwards I met him in New York with a new enterprise upon his hands—nothing less than an Inter-Oceanic Railway across the isthmus of Tehuantepec.

The political confusion and the absence of definite party purpose in New South Wales in 1870 and 1871, as already glanced at in this chapter, culminated in the beginning of the following year in the complete disruption of existing alliances and the exclusion of several of the Ministers from Parliament. Early in January, 1872, I was elected for a country constituency, but within a few days after my return the Legislative Assembly was dissolved. I then offered myself as a candidate for East Sydney, and was duly elected. On account of the strange state of popular discontent into which the colony had been plunged I give my address to the electors:—

To the Electors of East Sydney.

Gentlemen,—On five different occasions, extending over a period of eighteen years, you have elected me by large majorities as one of your representatives in the Legislature. On the first of those occasions, in 1854, I expressed opinions on the principal questions of legislation and government which I still hold, with no modification except such as is derived from a fuller knowledge and a maturer judgment. My views, as then explained to you on several subjects of the first importance, have since been embodied in the laws of the country, as, for example, in the Municipalities Act, the Volunteer Act, and the Public Schools Act, which I had the honour to carry successfully through Parliament.

If the present were not an extraordinary emergency, I should, in offering myself again as a candidate for your suffrages, be satisfied to rest my cause on the records of the Legislative Assembly, where I have spent the best years of my life in your service. But the country is in the throes of a crisis such as has never before occurred in our history, and such as all friends of the Constitution must hope will never occur again. At this time, if at any time, the men who have largely shared in the political struggles of the country are entitled to speak boldly, and have a right to be heard.

A little more than a year ago a political combination took place in this country which has no parallel in English history, unless it be indeed the untoward union of Mr. Fox and Lord North, in 1783, which is thus described by Sir Thomas Erskine May:—‘The principles of the two parties were irreconcilable; and their sudden union could not be effected without imputations injurious to the credit of both. Nor could it be disguised that personal ambition dictated this bold stroke for power, in which principles were made to yield to interest. It was the alliance of factions, rather than of parties; and on either side it was a grave political error. Viewed with disfavour by the most earnest of both parties, it alienated from the two leaders many of their best followers.’ When Sir James Martin and Mr. Robertson, imitating this bad historical example, agreed to ‘bury the tomahawk’ in the spoils of office, it was foreseen that nothing but disaster to our Parliamentary institutions could follow that double act of perfidy and betrayal. The pernicious

consequences were not long in developing themselves. While Sir James Martin openly ridiculed the idea that the people had any regard for political principle, Mr. Robertson gave early proof of how well he had attended to the teaching of his new chief by proposing to double the *ad valorem* duties, which for two years he had been promising to repeal. Then followed the grand measure for raising a standing army, for which, as a beginning, the people are required to pay 20,000*l.* a year to enable Sir James Martin to keep them in order. To make up this military expenditure the clerks in the public departments, the messengers at the office doors, and the mechanics and labourers in the Government workshops have been compelled to submit to an arbitrary reduction of pay, with no attempt at an equitable adjustment of the pressure, even now that Ministers have had the necessary time upon their hands. An oppressive Stamp Act, utterly unsuitable to a young community like ours, has to be added to the first fruits of the Martin-Robertson compact.

After these and similar transactions, Parliament was prorogued on June 22, and the Ministers immediately rewarded their supporters in the first session by appointing two of them Police Magistrates, and by conferring offices and honours on the relatives and friends of several others. The Houses were not again called together for the despatch of business until November 14, making a recess of nearly five months, and rendering it impossible to make legal provision in the proper constitutional manner for the public service of 1872. The first measure then submitted to Parliament was the Land Bill now before the country, which, although it has since been modified by amendments, to pacify the angry feeling of the electors, still remains one of the worst Bills ever proposed in the Australian colonies, framed on no principle and embodying no policy which a community of intelligent men could recognise and accept. By this measure no advantages are extended to the agricultural settler which would improve his position, and the best apology which its authors can find for it is that the 'free selectors' can, if they choose, remain under the present law; while by its provisions the pastoral tenants of the Crown will be enabled to secure the most valuable portions of their runs, up to the extent of 16,000 acres in one block, at an average of 8*s.* per acre, with thirteen years for payment, and all other persons in the country are denied any similar privilege.

To the credit of those members of the late Assembly connected with the squatting interest, the greater number of them showed their independence and their contempt for this cunningly-designed sop by voting against the Government. The crowning transaction, or rather series of transactions, in this downward course of vicious legislation and misgovernment, is that which has resulted in the collection of the Border Customs duties, not less in opposition to Sir James Martin's declared policy of former years than to the latest decision of Parliament. The Attorney-General has made an elaborate attempt to put the sister colony in the wrong in this unfortunate dispute, apparently with a reckless disregard of the difficulties he is creating in the way of its just settlement. But even if Sir James Martin's case was not based upon wild assumptions, it is of no avail for him to rake up the transactions between the Government of this colony and Victoria for the last nine years. That part of his case was entirely cut away from him by his own act, when, on August 9 last, he invited the Victorian Government to a Conference, 'to avoid, if possible, a renewal of the inconvenience so seriously felt by the residents in both colonies from the collection of duties on goods carried across the Murray.' He thus conceded the principle that it is not desirable to collect the duties. The real questions that remain now are—1st. Did he and his colleagues display the necessary capacity and wisdom to ensure success in the negotiations which were opened at his own instance? 2nd. Has he since refused to entertain a just proposal from the sister colony? The only answers that can be given to these questions leave the Government self-condemned.

Throughout these various proceedings, the arbitrary genius, or in other words the inborn Toryism, of the gentlemen at the head of the Government, has for the first time forced its way to the surface, unchecked by any countervailing element in the Administration. The Toryism of Sir James Martin is unlike anything known to modern times; it is the Toryism of the Stuart dynasty, when the will of the obstinate king or the facile minister was sought to be carried out by the corruption of Parliament, by playing off one faction against another, by the employment of secret agents, and by maintaining an unauthorised and irresponsible consultative power within the Cabinet itself. The time is come when the electors must determine whether this noble colony is to be governed, not by the DIVINE

RIGHT of James the Second, but by the DIVINE RIGHT of James the Third.

It is to be fervently hoped that this appeal to the people will result in the return of a body of men who will be prepared at all hazards to stem the torrent of chicanery and corruption which has set in upon our free institutions,—who, from an enlightened conviction, and by a firm example, will teach that political triumph does not always accompany the possession of power, but that victory is to be achieved by remaining in Opposition or by retiring from office, so long as the principles of a sound policy are faithfully maintained. What we want—to raise New South Wales to the first place in the Australian group, to which the boundless wealth of her natural resources gives her a fair title—is a public policy suited to the position and capabilities of the country, adopted and carried out in the light of English statesmanship. Our system of education should be extended until it embraces the children of every home. Every form of commerce and industrial enterprise should be left free to the fullest extent consistent with the needs of the State. Our lands should be alienated on a freehold basis, with the largest measure of advantages to those who will turn the soil to the best account. Our mineral resources should be developed by a liberal revision of the present law. The benefits of municipal government should be spread to the utmost practicable limit throughout the colony. Our external defence should depend upon a Volunteer organisation, numbering within its ranks the flower of our young men. Above all, we should encourage in the agricultural, pastoral, and mining pursuits of the interior the creation of wealth and the formation of society by the settlement of families and the secure investment of small capitals. By such means we may raise our country to a condition of prosperity hitherto unknown, and may hope to see our infant liberties zealously preserved by a brave and an intelligent people.

I am, Gentlemen,

Your faithful servant,

HENRY PARKES.

Sydney, February 9, 1872.

With this election the march of events was rapid. The voice of the people could not be mistaken. The ground was cleared for a new beginning. It is hard to

believe that sensible men could have been guilty of such perverse courses as have to be explained, but the facts cannot be changed in their complexion and significance.

CHAPTER XI

DEFEAT OF THE MARTIN MINISTRY—MR. WILLIAM FORSTER FIRST ‘SENT FOR’—FIRST PARKES MINISTRY FORMED—STRANGE UNCONSTITUTIONAL PROCEEDINGS OF THE LATE MINISTERS—THEIR UNPRECEDENTED DEFEAT AT THE BALLOT-BOX—ARRIVAL OF SIR HERCULES ROBINSON—HIS CHARACTER—REFORMS IN DEPARTMENTAL MACHINERY—PROPOSALS TO REFORM BOTH THE ASSEMBLY AND THE COUNCIL—HIGH APPOINTMENTS BY THE MINISTRY.

EARLY in 1872 the Ministry, having sustained defeat in the Legislative Assembly, obtained the power to dissolve from the Earl of Belmore, who was on the eve of vacating the office of Governor, and who did actually leave the colony a few days afterwards. The first elections told plainly that the advice given by Ministers had been ill-judged, that they had unquestionably lost the confidence of the country; but in the midst of defeat and condemnation they continued to hold office for three months. I with others took an active part in awakening the country to a sense of the danger from this state of things, where only the convenience or the perverse will of the defeated Ministers appeared to be consulted. I wrote letters in the public press; I sought the opinions of persons admitted to be constitutional authorities; and on my motion the Assembly carried an amendment to the Address in reply by thirty-six to eleven votes in the following words:—

It is a matter of deep regret to us that the circumstances under which the late Assembly was dissolved, and the present Parliament assembled, are of a character to call for the expression of our disapproval.

It has been communicated to us that a monetary arrange-

ment was entered into between your Excellency's Advisers and a private Banking Institution, during the progress of the elections, and the protracted delay in convening Parliament, which, in derogation of the Constitution, interferes with the undoubted and sole power of this House in granting supply to Her Majesty, and seriously impairs its just control over the public expenditure.

We feel constrained to take the earliest opportunity to condemn a course of conduct in the administration of affairs as dangerous to the public interests, and which we are anxious may not be again resorted to.

While these things were going on, several points in the larger question—What is the thing which the term Responsible Government designates in a colony?—presented themselves, with more or less force, to my mind; and my individual views on these special points, fortified by authorities which could not well be impugned or doubted, found expression in my letters. The soundness of the views expressed I submitted to the test of reason by impartial enquiries; and in their publication no desire was felt by me to promote the interest of any particular party, but only to assist in mitigating the abuses of Government, whoever might be in power.

I contended that it could not be a question of light interest to anybody how the country was to be governed. It concerned every person in every relation of life. No man was above or below the consequences.

I held the opinion that our system of government might be made a blessing or a curse, according to the degree of sensibility to the principle of responsibility entertained by those whose chief business was to govern, and the degree of subserviency to the views of the executive entertained by those whose chief business was to represent the country. If Ministers were sufficiently lax in their notions of their obligations to the Constitution, and the Representatives of the People were suffi-

ently lax in their notions of the trust reposed in them, there would be little check upon the abuses of power, and it would be difficult to fix a limit to the tricks, devices, evasions, manœuvres, and manipulations, and the invisible arts of corruption in the practice of these, by which a worthless Administration might be supported. In all times good men had made efficient government, and systems had failed to convert unstable, unprincipled, and scheming men into good and efficient governors. The vitality that was infused into Parliamentary government, in one age by Chatham and in another by Canning, though the rule of each was brief, and the paralysis it sustained at the hands of the Cabal and the Coalition, were pointed to as illustrations of this historical fact.

Not the least part of the evil flowing from any violation of the true principles of Parliamentary government was the infectious influence which it communicates to the electoral bodies. Where the carrion is, the crows and kites will congregate. Be the waters pure and life-giving, or noxious and charged with the seeds of pestilence, the stream flows from its source ever downwards. No greater affliction could befall a free country than the violation of the political sentiments of the people.

I copy two of my letters as they appeared at the time. They express the views which I formed then, and which I still hold, of the unjustifiable character of the transactions of those three months.

‘LETTER I.

‘There seems to be an opinion abroad, apparently received without enquiry, that it is a constitutional practice for a Minister retiring from office to advise the Crown as to his successor. Whether the representative of the Crown in this colony has at any time permitted

such practice I do not pretend to say, but it is known that on some occasions no such advice has been given or sought, and it is undeniably the fact that nothing of the kind has ever occurred in modern times between retiring Ministers in England and the Sovereign.

‘It will occur to the mind of any person capable of reasoning on the subject, that it would be a logical absurdity for a Minister who has forfeited his position as adviser of the Crown, by the tender of his resignation of office, still to be permitted to advise as to the person who is to be his successor. Having himself failed to obtain the support of Parliament in his Ministerial capacity, how can he be the right person to advise who is likely to succeed in securing that indispensable support in the government of the country? Having as Minister passed outside the boundary within which he can be held responsible to Parliament for his advice (for by his resignation he has paid the utmost penalty which Parliament can exact), is he then to advise, without responsibility, on the momentous question of the formation of another Government?’

‘For many years after the accession of the House of Hanover the Whigs sought to establish in their party a power of nomination to the office of Premier. The resolute self-will of George the Third broke down this pretension of the great Whig families. Although the prerogatives of the Crown, as sought to be exercised during the long reign from 1760 to 1820, have since been circumscribed and defined in the interest of the popular branch of the Legislature, all modern statesmen are agreed that the right to select the First Minister, absolute, unrestricted, and uninfluenced, belongs to the Crown alone, and that the only party in the State entitled to offer advice in the matter is the Parliament itself. That principle of Parliamentary government, clear and distinct, has come out of the constitutional struggles of

two centuries. That principle is stated very concisely, but very emphatically, by a well-known historian, who has himself held high office in the Parliament and the Government of England. I quote from Massey's "History of England during the Reign of George the Third," vol. iii. p. 213.

‘ “If there is one rule better established than another by the Constitution of this realm, it is this, that the Sovereign has a right to choose his Minister, *subject only to the approval of Parliament.*”

‘ So far back as 1812, while the contention for power between the Crown and the Ministers was still going on under the Regency, Mr. Canning, in the House of Commons, delivered himself thus :

‘ “The Right Hon. Gentleman, and those on his side of the House, seemed to consider that the great families and connections of this country had a kind of right to interfere in the nomination of Ministers. He himself, who was so very humble an individual, who could not boast of any of those high connections, and who, perhaps, though unknown to himself, was influenced by those circumstances of his humble rank, did not certainly believe in the existence of any such right or pretension in the aristocracy. He thought that, in the very best spirit of the Constitution, the Crown had *exclusively* the appointment of Ministers, *subject, of course, to the control or advice of a free Parliament.*”—
[*Parliamentary Debates*, vol. xxiii. p. 455.]

‘ Fifteen years afterwards Mr. Canning asserted this principle in his personal conduct by declining to be a party to carrying out the wish of the King, that he and his colleagues should nominate a peer to the office of Premier in the place of Lord Liverpool. The negotiations resulted in Mr. Canning being authorised by George the Fourth to reconstruct the Ministry; and though Mr. Peel (afterwards Sir Robert), the Duke of Wellington, Lord Eldon, Lord Bathurst, Lord West-

moreland, Lord Bexley, and others refused to serve under him, and though a protest against his assumption of the premiership, signed by eight dukes, was presented to the King, threatening their organised opposition, Mr. Canning succeeded in forming the first Liberal Ministry of this century, bringing into the Cabinet Lord Lyndhurst, Lord Palmerston, and Mr. Huskisson. So far from any person advising the King to "send for" Mr. Canning, Mr. Canning was "sent for" in spite of the influence of all the great ruling families.

'When, in the early part of 1846, dissensions arose in the Peel Administration on the policy of repealing the Corn Laws, and Lord Stanley determined to retire, Sir Robert Peel tendered his resignation to the Queen, and he explained his conduct in these words to the House of Commons :

"While I retained the hope of acting with a united Administration, while I thought there was a prospect of bringing this question to a settlement, I determined to retain office and incur its responsibilities. When I was compelled to abandon that hope (my sense of the coming evil remaining the same), I took the earliest opportunity, consistent with a sense of duty and of public honour, of tendering my resignation to the Queen, and leaving Her Majesty the *full opportunity* of consulting other advisers. *I offered no opinion as to the choice of a successor. That is almost the only act which is the personal act of the Sovereign; it is for the Sovereign to determine in whom her confidence shall be placed.*"—[Hans. Debates, vol. lxxxiii. p. 1004.]

'In 1852 the first Derby Ministry was defeated on their financial policy, and Lord Derby announced their resignation in the following terms in the House of Lords :

"Having had a distinct declaration of want of confidence on the part of the House of Commons, and having

ascertained that my colleagues unanimously concurred with me as to the only course we ought to pursue, I proceeded to wait upon Her Majesty, and to tender to her, in my own name and that of my colleagues, the humble resignation of our offices. Her Majesty was pleased to accept our resignation; and signified her pleasure, which was acted upon in the same day, to send for and take the advice of two noblemen, members of your Lordships' House, both of them of great experience and considerable ability—of long practice in public life.”—[Hans. *Debates*, vol. cxxiii. p. 1701.]

‘The two noblemen alluded to by Lord Derby were the Marquis of Lansdowne and the Earl of Aberdeen; but it is clear that the Queen did not ask the retiring Minister for any advice on the expediency or propriety of seeking the counsel of those statesmen. She simply informed him, not as a defeated Minister, but as a peer of the realm and a Privy Councillor of great weight and consideration, of the course she intended to take. It is only in one or other of these latter capacities that English statesmen are ever asked for advice on the selection of the First Minister, because both Peers and members of the Privy Council are responsible to Parliament for the advice they give, whether in office or not. Persons enjoying either rank, and of high standing from personal services and experience in public affairs, have occasionally been asked for such advice, when they neither belonged to the retiring, nor were expected to belong to the incoming, Ministry. This was the case with the Duke of Wellington and the Marquis of Lansdowne in their later years. When Mr. Disraeli resigned in December, 1868, the “Times,” on the following morning, stated that there could be no doubt but that the Queen would seek the advice of Earl Russell in the first instance, on account of his long connection with the Liberal Party and his great experience, though it was equally certain that Mr. Gladstone would be entrusted

with the formation of the new Government, as the general election had clearly pointed out the latter statesman as the future Premier. ["Times," December 3, 1868.] But Her Majesty sent direct for Mr. Gladstone, who, at the time, was at Hawarden Castle, more than 200 miles from London; and, though the Cabinet Council, at which Mr. Disraeli and his colleagues determined to resign, was held late in the day on December 2, Mr. Gladstone had an audience of the Queen, at Windsor, at 4 P.M. on the following day. Another of the great daily journals spoke of the Queen's relation to the Ministerial crisis in the following words:

‘“The English system of government does not, as is sometimes fancied, go of itself. It is not an automatic contrivance, nor an engine which a child may feed or tend. To discern the real meaning of popular or Parliamentary contests; to act as the interpreter of the national mind; to select its truest representative; and to give effect to its will, are offices involving grave responsibility and calling for more than ordinary intelligence and judgment. To do these things is part of the business of an English monarch. Constitutional Kings and Queens cannot but have, like humbler people, their own political opinions and personal preferences. *The high impartiality and the controlling sense of public duty which, amid the changes of party government, have for a generation kept the private feelings of the Sovereign in abeyance, deserve record and honour.*”—[‘Daily News,’ December 5, 1868.]

‘We know from an unimpeachable source the patriotic view which the reigning Sovereign has always taken of her duty on the occasion of a change of Ministry. The wise and lamented Prince, who was her dearest adviser in life, has told us how scrupulously Queen Victoria guards herself from any personal feeling or any consideration in conflict with the feeling of her Parliament and her people, in selecting her First Minis-

ter. Speaking in the House of Lords on the death of the Prince Consort, Earl Russell said :

‘ “ I happen to know from the late Prince himself the view he took of the duty of the Sovereign in such a case. He stated to me, not many months ago, that it was a common opinion that there was only one occasion on which the Sovereign of this country could exercise a decided power, and that was in the choice of the First Minister of the Crown. The Prince went on to say, that in his opinion that was not an occasion on which the Sovereign *could exercise a control or pronounce a decision* ; that when a Minister had retired, from being unable to carry on the Government, there was at all times some other party which was prepared to assume the responsibilities of office, *and was most likely to obtain the confidence of the country*. But, he said, a transfer having been made, whether the Minister was of one party or the other, he thought that the Sovereign ought to communicate with him in the most confidential and unreserved manner with respect to the various measures to be brought forward, the fortunes of the country, and the events that might happen—that whether he belonged to one party or another, the utmost confidence should prevail between the Sovereign and the Minister, who came forward in Parliament as the ostensible possessor of power.”—[Hans. *Debates*, vol. clxv. p. 44.]

‘ Earl Russell went on to give the weight of his own opinion on the beneficial effect of this unbiassed and scrupulous conduct on the part of Her Majesty in the working of Constitutional government. He continued :

‘ “ I do, my Lords, attribute in great measure to that opinion which the Sovereign held in common with the Prince, the fact that there has been no feeling of bitterness among any party in this country arising from exclusion, and that all parties during these twenty years

have united in rendering that homage to the Sovereign which the conduct of Her Majesty has so well deserved, and the country still reaps the benefit of the good counsel which the Prince Consort gave to the Crown.”—[*Hans. Debates*, vol. clxv. p. 44.]

‘It appears, then, that it is not only the exclusive right, but the duty of the Crown, in view of the public interest, to exercise an independent judgment in selecting the First Minister, and that Her present Majesty has uniformly disregarded her own feelings and preferences in the performance of this duty. It is equally clear that it is not the practice for retiring Ministers, as such, to offer or to be requested to give advice on such a grave and delicate subject, and that any such practice would be in conflict with the theory of Ministerial responsibility. This part of the case is very lucidly stated by Mr. Todd:—

“A retiring Minister may, if requested by the Sovereign, suggest that any particular statesman should be empowered to form a new Administration, but such advice should not be obtruded on the Sovereign unasked. *Being debarred by his own resignation, or dismissal from office, from the constitutional right to tender advice to the Crown, he can only do so, if required, in the quality of a Peer or a Privy Councillor; being still responsible in that capacity for any advice he may give to the Sovereign.*”—[*Todd's Parliamentary Government*, vol. i. p. 222.]

‘I have stated the case as I find it elucidated by the most trustworthy records and authorities, and I do not believe a single authenticated instance from modern practice in England can be adduced in opposition to the view I have explained. The Governor, as the representative of the Crown, has few duties to perform which devolve exclusively on his function as Governor, and of these few duties the most important are to decide independently when advice is tendered to dissolve

Parliament, and to decide independently on committing the executive power to new hands. In calling a Member of Parliament to the service of the Crown, he is not—to use the words of the Prince Consort, as quoted by Earl Russell—“to exercise a control or pronounce a decision” in determining the special character of the change, but he is, like Her Majesty, to select the person who, in his judgment, taking into consideration political experience, party relations, capacity for public business, and representative character, is “most likely to obtain the confidence of the country.”

‘LETTER II.

‘It is said that Lord Belmore’s reasons for the late Dissolution will, when they become known, be satisfactory to the public mind. What species of argument can have been employed to justify that transaction to the Secretary of State seems at present beyond conjecture. In view of the whole range of the Governor’s intercourse with the Minister, from the date of the acceptance of office until the date of the advice to dissolve, the Dissolution appears without precedent or justification. On the supposition of a case so improbable as that the Governor had allowed himself to be drawn into a position which did not leave him entirely free to exercise his judgment on the state of circumstances which arose, it may be that the acting on the Minister’s advice could be justified under the qualification of the embarrassments imposed upon him. But the exigencies of any such case in no way remove, but rather aggravate, the questionable character of the transaction. The Governor ought to be entirely free and unfettered, “to discern the real meaning of popular or Parliamentary contests,” on all such occasions, and to act on a true interpretation of them. When the late Earl Grey advised the memorable Dissolution on the

Reform Bill of 1831, he declared that *nothing but success* would justify the advice he had given, and the same doctrine was held in the House of Lords on a recent occasion. If dissolving the Parliament of the country was a game of haphazard, any person who happened to be Minister could, of course, advise it without blame, and any person who happened to be Governor could assent to the advice without regard to the public interests. But it is the exercise of an extreme power under the Constitution, to be resorted to only in extreme cases, and when there is a rational belief that the views of the Legislature are not in accord with the views of the country. Hence the obligation upon those concerned, both the giver and the receiver of the advice, "to discern the real meaning" of the conflict out of which the advice arises.

'All the features of the late Dissolution are open to criticism and, I think, severe censure. The comparative newness of the late House, the embarrassed state of public business caused by Ministers themselves in not convening Parliament at an earlier date,¹ the general manifestation of an adverse public opinion, the large majorities in the Assembly by which the Administration was defeated,² the Supply not granted for the current year—all these grave circumstances were against the Dissolution. Not only the considerations arising out of this state of things, but the very important circumstance that the Governor was about to vacate his Government, and the knowledge of the fact that his successor could not arrive in the colony for many months, was an additional reason of great weight why the House ought not to have been dissolved.

'It is a most unusual thing for the Governor of a

¹ The public press, with few exceptions, expressed an opinion unfavourable to the Administration, and public meetings had been held in nearly every district in condemnation of the Ministerial Land Bill.

² The majorities were 27 to 28, and 88 to 19.

colony to dissolve Parliament on the eve of giving up his Government ; and it seems to me extremely doubtful whether such an exercise of power can be justified by any reasoning from precedent or analogy in the Government of England. The examples of the English system do not, and cannot, apply in all cases to the systems of Parliamentary government established in the colonies. The conditions of political existence are in many respects essentially different. Thus, there exists no true type of Sovereignty in relation to our Parliament, the Crown being practically held in abeyance in all intercourse with this branch of the Government, and its place supplied by an Imperial officer for a fixed term of years. But the forms of intercourse between the Sovereign and the British Parliament are preserved and adapted to our condition as much as possible. It will, therefore, be admitted, I presume, that where the conditions are not the same, the spirit of the Constitution ought to exact conformity of action in the closest approach to Imperial practice which our different circumstances will permit. It is not possible to conceive of the Crown dissolving the Imperial Parliament on the eve of abdication or of death. On the contrary, every precaution has been taken to render it impossible for such an event to occur at a time when the nation is without a Parliament. Although by common law the Parliament expires with the King, a statute was passed in the reign of Anne which continues it in existence six months after the death of the Sovereign, and requires it immediately to assemble, although it may stand adjourned or prorogued at the time. In the event of a dissolution having been granted previous to the demise of the Crown, the Act 6 Anne, c. 7, revives the defunct Parliament for a like period. Admitting the difference between a change of Governors and a change of Sovereigns, it is a difference inevitable from the nature of things, and not one designed as an improvement upon

the Constitution which is our model, nor one that can be held to justify a flagrant disregard of constitutional rule and expediency. If it is considered neither expedient nor safe for the nation to be without a Parliament on the accession of a new Sovereign, it cannot be desirable, to say the least, that this colony should be without a Parliament when it receives a new Governor.

‘But the dissolution was altogether unjustified by English precedent or usage. In 1831 Parliament was dissolved on the advice of Earl Grey, who said that “he should not have been justified in recommending it if he had not felt assured that the course he proposed to pursue would be ratified by the decision of the nation.” The result proved that Earl Grey had “discerned the real meaning” of the contest. After the passing of the Reform Act, the Parliament elected under the old state of the law was dissolved, December 3, 1832, to make way for the election of the reformed House of Commons. Sir Robert Peel, in 1834, being called upon to form an Administration as the successor to Earl Grey and Lord Melbourne, advised a Dissolution on the broad intelligible ground that he proposed an entirely new policy. The next Dissolution was on the accession of Her present Majesty, in 1837, and had no political significance. In 1841, Lord Melbourne, being defeated on a motion of want of confidence, by Sir Robert Peel, by a majority of *one* (312 to 311) in a full House, advised Her Majesty to dissolve, which advice was accepted. The appeal to the country was made on the policy of lightening the burdens on trade and commerce. Sir Robert Peel’s second Administration remained in office till 1846, when, after carrying the repeal of Corn Laws, he was defeated by a combination of Whigs, Radicals, and Protectionists. That great Minister was then at the height of his popularity, and the Parliament was five years old; he did not, however, advise a Dissolution, but retired from office. In 1847

Parliament, under the first Administration of Lord John Russell, was dissolved by effluxion of time. In 1852, Lord Derby, coming into power, announced the policy of returning to modified protective duties, and on that policy he obtained a Dissolution. In 1857 Mr. Cobden moved a vote of censure on the Chinese War under Lord Palmerston's first Administration, which was carried by a majority of sixteen. On the advice of Lord Palmerston Parliament was thereupon dissolved. So well had the veteran Premier "discerned the real meaning" of the contest, that he came back to the House of Commons with a clear majority of eighty-five, while Mr. Cobden himself lost his seat. The second Derby Administration was, in 1859, defeated on their Reform Bill, and obtained a Dissolution. Under Lord Palmerston's second Administration, Parliament was dissolved, in 1865, without political significance, having lasted more than six years. Lord Palmerston died before the assembling of the new Parliament, and Earl Russell became Premier, Mr. Gladstone assuming the lead of the House of Commons. This Administration was defeated on June 18, 1866, by Lord Dunkellin's amendment on their Reform Bill, and they resigned office, though it was generally understood that the Queen would have granted them a Dissolution. The last Dissolution was in 1868, when Mr. Disraeli appealed to the new constituencies under his own Reform Act, on Mr. Gladstone's proposal to disestablish the Irish Church. On finding the electoral returns against them, Mr. Disraeli and his colleagues resigned before all the elections were concluded—namely, on December 2, the writs being returnable on the 10th. The following is a copy of the Prime Minister's circular to his supporters:—

“If Parliament were sitting I should not have adopted this course; but as the public acts of a Ministry should not be misunderstood, and as there

are no other means of explaining their motives, I have taken the liberty of thus addressing the Conservative members in both Houses of Parliament.

‘“ When Her Majesty’s Government, in the spring of this year, were placed in a minority in the House of Commons on the question of Disestablishing the Church in Ireland, they had to consider that the policy proposed had never been submitted to the country, and they believed that the country would not sanction it.

‘“ They therefore felt it their duty to advise Her Majesty to dissolve Parliament; but to make an appeal to the obsolete constituency would have been an absurdity, and the candid opinion of the country coincided with that of Parliament, that no course could be satisfactory unless the voices of the enlarged electoral body were ascertained. All means were, therefore, taken by the Ministry to expedite that appeal, and a special statute was passed for the purpose.

‘“ Although the General Election has elicited, in the decision of numerous and vast constituencies, an expression of feeling which, in a remarkable degree, has justified their anticipations, and which, in dealing with the question in controversy, no wise statesman would disregard, it is now clear that the present Administration cannot expect to command the confidence of the newly elected House of Commons.

‘“ Under these circumstances, Her Majesty’s Ministers have felt it due to their own honour, and to the policy they support, not to retain office unnecessarily for a single day. They hold it to be more consistent with the attitude they have assumed, and with the convenience of public business at this season, as well as more conducive to the just influence of the Conservative party, at once to tender the resignation of their offices to Her Majesty, rather than to wait for the assembling of a Parliament in which, in the present aspect of affairs, they are sensible that they must be in a minority.

“In thus acting, Her Majesty’s Government have seen no cause to modify those opinions upon which they deemed it their duty to found their counsel to the Sovereign on the question of the Disestablishment and Disendowment of the Church. They remain convinced that the proposition of Mr. Gladstone is wrong in principle, probably impracticable in conduct, and, if practicable, would be disastrous in its effects.

“While ready at all times to give a fair consideration and willing aid to any plan for the improvement of the Church in Ireland, to the policy which they opposed last Session, rife, as they believe it to be, with many calamities to society and the State, they will continue, in whatever position they occupy, to offer an uncompromising resistance.

“B. DISRAELI.

“Downing-street, December 2, 1868.”

‘Here are all the Dissolutions of the Reformed Parliament from 1831 to 1868, and where will anything be found giving a colour of sanction to the Dissolution of the Assembly in February last?’

‘Parliamentary Reform, the Financial Policy of the Country, the justice of a Foreign War, the Disestablishment of the Church, were the broad questions submitted to the electors. But what is more deserving of notice is the hesitation and forbearance with which English statesmen, especially those at the head of the Liberal party, approach the prerogative of Dissolution. With the single exception of the appeal made by Lord Melbourne, their advice has always been justified by the result. They have on all occasions “discerned the real meaning” of the contest, and been successful.

‘Nothing can be more unwarranted by reason and precedent than the notion, loosely entertained by some few politicians, that a Ministry is entitled to a Dissolution when they encounter defeat in Parliament

because the House was elected under the Administration of their predecessors. That would be reducing a principle of the Constitution to a mere rule of child's play—"It was your turn last, it is my turn now!" The circumstances under which the existing Legislature was elected may be fairly considered, with many other circumstances, when the whole question of the expediency of dissolving it is under review; but not because other persons filled the offices of Government when the election took place. Those circumstances would form matter for consideration as part of the case for the decision of the Crown, just to the extent that the questions of policy formerly submitted to the electors may be held to affect the questions again to be submitted, but only in reference to the public interest, and not in deference to the supposed claim of a defeated Ministry.

'In the arrangements for the elections and the assembling of the new Parliament, our Administration is equally at fault. In England the new House of Commons must be called together by law within *thirty-five* days from the issue of the writs. On the 30th instant, Sir James Martin will have continued himself in office *eighty-nine* days, without a Parliament, since he caused the late Assembly to be dissolved. The English writs are issued with the least possible delay; here they were delayed several days to suit the electioneering plans of the Ministers. The election for East Sydney was then hurried through within five days, and that for West Sydney within seven days, notwithstanding the long delay which has since taken place in convening the new Parliament, the principal Ministers themselves being candidates for those electorates. No time ought to be lost in restraining by legislation the power of Ministers to trifle—not to say tamper—with the Constitution, and to impair the public value of their own appeal to the people, by making the arrange-

ments for a General Election subservient to their own official interests.'

On the constitutional questions involved in these lamentable proceedings I wrote to Professor Hearn, the author of the 'Government of England,' and I give our correspondence on the subject here :

Sydney, April 24, 1872.

Sir,—I take the liberty of sending to you two numbers of the 'Sydney Morning Herald' which contain letters of mine under the signature of a 'Constitutionalist' on questions of Parliamentary government, which appear to me to be pressing for consideration by these Australian Communities.

With your permission, I will state the case of this colony at the present moment.

Sir James Martin accepted office as First Minister on December 16, 1870. Parliament had then been in Session several months, and little business had been done, chiefly owing to the weakness of the previous Government. The new Ministry, on this account, very properly received much consideration from the Assembly during the latter part of that Session, although much dissatisfaction was felt at the manner in which the new Administration had been formed. As the financial year of New South Wales terminates on December 31, that Session properly belonged to 1870. On prorogation (June 22, 1871), Sir James Martin took a recess of 144 days, not calling Parliament together for the Session proper to 1871 until November 14, when it was quite impossible to consider the estimates and transact the necessary business within the year. During the recess the First Minister and two of his colleagues had attended a conference at Melbourne, which, in the general opinion here, resulted through their incompetency to the discredit of this colony. The proceedings of the Administration at the conference, and other causes, led to their early defeat by decisive majorities, on which Sir James Martin obtained the power of Dissolution. Supply had been voted for the month of January only when Parliament was dissolved on February 1. Four out of the six Ministers with seats in the Assembly were defeated by their former constituencies, and only Sir James Martin himself succeeded in obtaining election elsewhere, though all of them stood a second, and one of them stood a third

electoral contest. The new Parliament is convened for the 30th instant, eighty-nine days after the Dissolution. In the meantime the Bank of New South Wales, under some arrangement not explained to the people, pays the salaries of the civil servants, on the heads of the departments, as I understand, making over their interest in them in anticipation of an Appropriation Act.

It is in this state of things that my letters have been written, and I should highly esteem the favour if you could give me your views on the questions raised.

Your obedient Servant,

HENRY PARKES.

University of Melbourne, April 30, 1872.

Sir,—I have to acknowledge the receipt of your letter of the 24th instant, and of two 'Sydney Morning Herald's' containing the letters to which your letter to me refers. The third paper has not yet arrived.

I do not think that it would be proper in me to volunteer an opinion upon the course which in the particular circumstances of the case the late Governor of New South Wales, or his adviser, thought fit to pursue. With reference, however, to the general questions of constitutional law, on which only, I presume, that you wish for my views, I have no difficulty in expressing my opinions.

As to the propriety of a retiring Minister advising the Crown in the choice of his successor, I concur in the views you express in your letter to the 'Herald,' and I have nothing material to add to the authorities therein cited. In the Victorian Constitution Act, and I presume in that of New South Wales also, the distinction is clearly marked between the political officers whom the Governor alone appoints, and all other officers whom he appoints with the advice of his Executive Council. I fancy that the popular notion has arisen from the exaggerative doctrine that the Crown can do no act without some responsible adviser. Under colonial constitutions such as ours, the choice of a Ministry, or at least of a Premier, seems to me to be a duty cast upon the Governor of the same nature as his duty in superintending the issue of the public revenue. With respect to the prerogative of Dissolution, I have said all that I have to say in the 'Government of England,' pp. 154-499. It seems to me that the limited duration of our

Parliaments makes the exercise of this prerogative a matter of much greater delicacy than it is in England. So far as I have been able to judge, it appears the great stumbling-block to Australian Governors. There appears to me to be one plain practical rule in the matter, viz. that a Dissolution ought never to be tried until every other means of carrying on the Government has been exhausted.

Your own research on these subjects has rendered any citation of authorities on my part superfluous. Perhaps you will permit me to call your attention to the English Reform Act of 1867 or 1868, which gets rid of the old rule as to the dissolution of Parliament on the demise of the Crown. I observe that you only refer to the Act of Anne. Probably we shall have an awkward question some day as to the effect of demise of the Crown upon our Legislative bodies.

I remain, &c.

W. E. HEARN.

Returning to the proceedings of the new Parliament, an effort was made to obtain a new Government without having recourse to me, though I had been marked out by the course of events as the proper person, as the failure of the member selected will show. Mr. William Forster was entrusted with the task by His Excellency the Administrator (Sir Alfred Stephen), but after endeavours extending over several days, he returned his commission. I was then sent for on May 9, and on the 14th the formation of the new Ministry was announced to Parliament. This, the first Ministry formed by me, existed until February 8, 1875.

Sir Hercules Robinson arrived on Sunday, June 2, and assumed the office of Governor on the following day. Though his appointments hitherto had been confined to Crown colonies, Sir Hercules Robinson was well acquainted with the principles and the working of Parliamentary government, having obviously acquired his knowledge from a close study of the English Constitution in all its later developments. He was a man of much personal dignity, who walked and rode like a

king ; though capable of stern action, he was gracious and kindly in his bearing ; his mind was singularly acute in argumentative examination ; and his methods of enquiry were lucid and searching. As he was passionately addicted to sport, evinced on all fitting occasions a high public spirit, and carried about with him an air of superiority, it is not surprising that the new Governor became popular with all classes. It was my happy fortune to be on the most friendly relations with His Excellency during the whole period of his administration. I was in office when he arrived, and I was in office when he left the colony, nearly seven years afterwards. In his high place he was an able man, fond of work and not afraid of conflict.

This Ministry had to encounter strong opposition in Parliament. Sir James Martin and Sir John Robertson sat directly in front of us, with several able men beside and behind them, but the popular feeling very generally was with us. There was a wide field of work to exhaust our energies. One or two bold steps were taken in recasting the departmental machinery of government. Hitherto, in imitation of the English law appointments, we had clumsily yoked in the weak Ministerial team (at this time confined to seven offices) an Attorney-General and a Solicitor-General, without reference either to the non-Cabinet standing of those officials in England or to the vast difference in the population and circumstances of the two countries. The office of Solicitor-General was abolished, and a large administrative department, presided over by a Minister of Justice, was created in its place. With the exception of the lawyers, I believe all classes approved of the change. To this Minister, who may be a layman, is assigned the administration of the prisons, the courts of justice, and minor divisions of the public service in close relation to the execution of the laws. The Attorney-General remains, though a member of

the Executive Council, for the most part limited to his duties as legal adviser of the Crown, and as public prosecutor. A Department of Mines, presided over by a Minister, was created by Act of Parliament, and foreseeing what must soon come, tentative steps were adopted towards bringing into existence a Department of Public Instruction.

In the last preceding Administration a spirit of quasi-militarism had been suffered to display itself in somewhat extravagant forms. I had myself at all times been in favour of fostering the sentiment among the permanent residents, especially the young men born of the soil, of military enrolment for the defence of the country. The Ministry proposed, and Parliament assented to, a reduction of the permanent force lately enlisted, with a view to giving encouragement to the Volunteer principle.

In one thing I hope I may lay claim to the approval of friends and opponents alike—in the efforts I have uniformly made to fill the highest offices of the State by the best men. In filling the office of Chief Justice in 1873, Sir James Martin, after much consideration, was finally selected, in disregard of all other considerations except his legal attainments and standing at the Bar. I was never forgiven in some quarters for that appointment, but it met with the general approval of the public and of the profession. Sir James was respected as a great judge. Time after time, in the appointment of other judges of the Supreme Court, the like considerations alone have been allowed to have weight. The same may, I think, be said (and has been indeed often said) of other important appointments, where example in official conduct not less than personal competency or merit in past service, is of the utmost value to the public. In July 1873 it devolved upon Ministers to recommend the high appointment of President of the Legislative Council. I selected Sir

John Hay (who for the next eighteen years so worthily filled the chair), and my colleagues all concurred in the selection, which, on submission to the Governor, received His Excellency's warm approval.¹ The following correspondence is now published in vindication of the correctness of the views of all parties to that appointment, and as serving to illustrate the considerations which I can safely say have at all times influenced me in performing this class of a Minister's duties.

Rose Bay, July 10, 1873.

Dear Mr. Parkes,—As Colonial Secretary you have already received my acknowledgment of the honour conferred upon me by my appointment as President; but I feel that something more is due from me on the occasion.

When I waited on His Excellency, at his request, on Friday last, he informed me that on the matter being first mooted he and you had been quite agreed in the opinion that the office should be tendered to me in the first instance, and in desiring that I would accept it. I had then the opportunity of thanking Sir H. Robinson personally, and I trust that you will now accept my assurance that I am very much gratified by the compliment itself, and still more by the manner in which it has been paid to me. Its value is greatly enhanced by the fact that you must have acted on the principle that an appointment of which the honour is more to be considered than the emolument should be the result not of canvass but of selection.

I have also learned that the members of the Executive Council were unanimous in their approval, and I hope you will do me the favour of conveying to your colleagues individually my thanks for this expression of their good opinion.

I remain, yours truly,
JOHN HAY.

Sydney, July 14, 1873.

My dear Mr. Hay,—I thank you for your note of the 10th, which is very gratifying to me, as affording a further proof, if such were wanted, that the high appointment conferred upon you will secure to the country an appreciative discharge of duties attached to it.

¹ Sir John Hay died January 20, 1882.

If I have one wish more fervent than another in the great position I am permitted to occupy, it is that, whenever I am called upon to retire from it, I shall not be justly open to the reproach of having done anything to lower the tone of our public life or to debase the character of our young institutions. It was in this spirit that, after the fullest consideration, you were thought of as President of the Legislative Council.

I cannot pay you a higher compliment than by frankly assuring you that you were appointed because I and my colleagues considered that in view of what was due to the Legislative Council itself, and what was equally due to the meritorious and dignified course pursued by you in both Houses of Parliament, it was the best appointment that we could make—the one most calculated to raise the Council in public respect, and to encourage others to a praiseworthy course of conduct by the recognition of a worthy example.

It is gratifying to us that His Excellency the Governor cordially concurred in these views. Accept my sincere congratulations upon your assumption of your new duties.

Faithfully yours,

HENRY PARKES.

Among the measures of legislation submitted by the Government was the Electoral Bill of 1873, which recast many of the electorates, where by the increase of population great inequalities had grown up, and extended the number of members of the Legislative Assembly, and carried out other much-needed changes to improve the representation of the people. The Bill was read the second time in the Assembly by thirty-four to five votes, and, after lengthy consideration in committee, read the third time by twenty-nine to thirteen, and duly sent to the Legislative Council. That body read the Bill the second time by ten to three, but so materially altered its provisions in committee, imposing additional charges on the people, that when it was returned to the Assembly it had to be laid aside on the ruling of the Speaker. It is worth while to note the course pursued by the nominee Council in dealing with this Bill, which was confined to reforming the

representation of the people in the Assembly, and to place in contrast with it the course of treatment dealt out by the same body in the same year to a Bill sent up by the Assembly to reform its own constitution. 'A Bill to amend the Constitution Act and to provide for the representation of the people in the Legislative Council,'—in plain English, to abolish the nominee principle and make the Upper Chamber elective—was introduced by me in the Assembly early in 1873. It was read the second time on February 27 by a majority of thirty-three to twelve; it passed through its further stages, and was sent to the Council, when that House, in a spirit of insolence which could only be generated by the vicious principle of nomineeism, refused to receive it on the following resolution:—

That this Council declines to take into consideration any Bill repealing those sections of the Constitution Act which provide for the Constitution of the Legislative Council, unless such Bill shall be originated in this Chamber.

If the hereditary principle in the House of Lords is fundamentally objectionable on theoretical and equitable grounds, the principle of nomination in Colonial Councils is ten times more objectionable on grounds of common sense and simple justice between man and man. The sense of security for the natural term of life, and the absence of all accountability to any power or authority whatever, act upon the half-educated and vulgar minds found in all these Colonial Councils with a stupefying force quite pestilential to their own moral nature, and often very hurtful to the public interests. Even upon the better class of minds the effect is visibly pernicious; and it grows upon the victims stealthily, without their being conscious of the gradual change from manliness to superciliousness, from natural self-respect to upstartism. I only just touch upon the evil in this place, as it will be my duty

to speak at some length in another chapter on this radical defect in the Constitution of New South Wales.

Owing to fortuitous circumstances, the question of electoral reform was put off from time to time—chiefly through changes of Ministries developing nothing but feebleness. But it fell to my lot eventually to legislate on the subject, and my Bill of 1873, with some modifications, though passed long afterwards, is now the law.

For my part I seized the first opportunity to render it legally impossible for any reckless or self-serving Minister of the future to profit by Sir James Martin's example. In the new Electoral Act I inserted the following clause: 'The day to be fixed for the meeting of Parliament after the return of the writs for General Elections shall not be later than the seventh clear day after the date on which such writs shall have been made returnable.' Such is the present law, and I do not think it is likely to be repealed.

I have dwelt at some length on this disagreeable episode in our political history on account of its exceptional importance in working out the law of the Constitution.

CHAPTER XII

TITULAR FORMS—THE EXECUTIVE COUNCIL—VIEWS OF SIR ARTHUR HELPS—ETIQUETTE AND PUERILITY IN PARLIAMENT—ANOMALIES IN MINISTERIAL ARRANGEMENTS—CONSTITUTIONAL PROCEDURE IN CHANGES OF MINISTRY—THE CROWN AND MINISTERS—GENERAL RESULTS OF PARLIAMENTARY GOVERNMENT—POLITICAL PARTIES—CORRESPONDENCE WITH EARL GREY ON THE RECONSTRUCTION OF THE LEGISLATIVE COUNCIL AND THE QUESTION OF FREE TRADE—BORDER CUSTOMS—POSTAL AND TELEGRAPHIC SERVICES—THE CASE OF THE PRISONER GARDINER—DEFEAT OF THE MINISTRY.

AMONG the many differences of procedure and custom in carrying out Responsible Government in the colonies may be mentioned the course adopted in regard to

individual Ministers on a change of Government. In 1856 it was decided in England that persons sworn of the Executive Council in one of the colonies should be designated 'The Honourable' while they remained members of that body. For some years in New South Wales the practice was that when a Ministry resigned as a body the Ministers individually resigned their seats in the Council. But in the adjoining colony of Victoria the retiring Ministers have never resigned their seats in the Executive Council, and there exists there a body of Executive Councillors not holding office. I believe the practice is similar in other of the colonies. This anomaly in practice led me to submit the matter to Sir Arthur Helps, the late accomplished Clerk of the Privy Council, and I give here the interesting letter which I received in reply. Though the letter is marked 'confidential,' I cannot conceive of any reason why it should be longer withheld from the public, after the lapse of nineteen years and the death of most of the persons named in it, and especially considering the value it must possess for Australian statesmen.

[Private and Confidential]

Kew, Surrey,
August 21, 1873.

Sir,—I have received your letter of June 11.

As I know but little of the state of Colonial Government, or of Colonial Society, it is with real diffidence that I venture to give any opinion upon the points submitted for my consideration.

It would be churlish, however, to refuse to give any answer to a letter so kindly worded as yours. I therefore attempt to make some reply, and I can assure you that I have given as much thought as I could to the questions which you have proposed to me.

I must premise that the answer seems to me to depend mainly upon the nature of your Executive Council, as to whether it has most resemblance to our Cabinet or to our Privy Council.

It appears to me, from your account of it, that it most resembles our Cabinet, except that it is presided over by your Governor, as the representative of the Sovereign. Moreover,

the small number of its members, and the fact that almost every person in it holds some office, makes it still more resemble that Committee of the Privy Council in Great Britain, which we call a 'Cabinet,' but which has, properly, no official designation and no official existence.

Such being the case, that your Executive Council resembles our Cabinet, I am decidedly of opinion that in the absence of the Governor, the Prime Minister should act as President of the Executive Council. With regard to your second question, I am again influenced by the fact (as I assume it to be) of the resemblance of your Executive Council to a Cabinet rather than to a Privy Council, and I doubt whether it would be judicious to arrange that members of the Executive Council on retiring from their political offices, should retain their seats as Executive Councillors. This question appears to me to be a much more difficult one than the first, and to depend upon circumstances respecting which I have very little knowledge. I mean, for instance, the habits of political thought and conduct which prevail in the colony.

Here, at home, the system of retaining as Privy Councillors those persons who have once held such office as makes them eligible has acted admirably. Those Privy Councillors who are not in immediate connection with the Administration of the day, never, by any chance, seek to interfere with that Administration. They, however, are often very useful—most useful—members of the Privy Council. The Ministry of the day can call upon them, and often *does* call upon them, to sit upon Committees of Council which are called together to decide upon questions which are not, or ought not to be, of a party character. And, moreover, the Ministry of the day can summon to its aid members of the Privy Council who have special knowledge upon some particular subject.

For instance, the late Lord Kingsdown and the late Dr. Lushington were great authorities on any matters relating to international law. Whatever Government was in, these eminent men were summoned to a Council whenever such matters were at issue. To show you how men of different politics have sat at these Councils, I may mention that I have served as Clerk of a Committee of Council consisting of the Lord Chancellor (Lord Campbell), Sir James Graham, the Lord President (Lord Granville), Sir Edward Ryan, Lord Justice Knight Bruce, Mr. Walpole, the Chancellor of the Exchequer

(Mr. Gladstone), and Mr. Lowe, Her Majesty's Attorney-General and Solicitor-General as Assessors to the Committee, and the Lord-Advocate for Scotland. Now the question arises in my mind whether (and this I say confidentially to you) political feeling and political action are with you in the same comparatively placid state as with us—whether, if you were to make your ex-Executive Councillors continue to be Councillors, you could reasonably conclude that they would never endeavour to embarrass the Government of the day, and would be ready to be called upon, as our Privy Councillors are, to assist the Government in any matter relating to party. If I felt sure of that, I should say, notwithstanding the resemblance of your Executive Council to a Cabinet, and notwithstanding the smallness of its numbers (for that latter drawback would soon be removed), by all means let the Executive Councillors, when they are out of office, retain their seats on the Executive Council.

I am sorry that my reply to your second question should not be of a decisive kind; but I think you will admit that in the absence of full knowledge upon the important points I have raised, it would be presumptuous in me to give a decisive opinion.

I have the honour to be, Sir,

Your obedient servant,

ARTHUR HELPS.

The Honourable Henry Parkes,
Colonial Secretary's Office, Sydney.

It was decided by the Imperial authorities that a person holding office as Prime Minister, and of course being a member of the Executive Council for one year, and others standing in the same relation to the State for three years, should be permitted to retain the title of 'Honourable' on making personal application for such distinction after retiring from office. But during the thirty-six years of Parliamentary government there have not been more than five or six applicants in New South Wales for this distinction, and these, with one exception, have not been among the leading men who have held office. Of late years retiring Ministers do not appear to have resigned their seats in the Council, and I suppose the rule may be considered as obsolete.

Perhaps we ought not to look for the same delicate

appreciation of political relations in a colonial leader as is found in men of high education and long experience in the Imperial Parliament. At all events, in our actual Parliamentary life, we have some droll instances of political etiquette and decorum; such, for example, as a member rushing in from a caucus meeting and announcing to the House that he had just been elected 'Leader of the Opposition,' and from day to day speaking of himself as such 'leader' or as 'Leader of the party behind him,' or on occasion addressing the Chair about his 'followers.' Of course we all know how leadership has grown, and how it has asserted itself, in the annals of the House of Commons. History has told us with apt illustration, with what watchful restraint, what careful examination of its traditions, what clear insight into the springs of inner life, and what consummate patience, Peel at one time, and Gladstone at another, rose to the leadership of the House of Commons. Neither ever went through the process of election. The title of both was admitted almost as a matter of course by general expectation and acceptance. So I suppose it will be in Australia as time goes on. Another amusing weakness among members is the free use of the term 'my honourable friend.' I have heard one loquacious member, in replying to the speech of another member, apply to him the words 'my honourable friend' twenty times in fifteen minutes, and the two gentlemen were known to be anything but friends after all. A practice is permitted—and is almost grown into a habit with some—of members walking about the Chamber, exchanging a word with one here and with another there, then settling down into a seat for a few minutes, and then repeating the exercise. An anecdote is told of William Cobbett, that he persistently took the seat on the Treasury bench which was usually occupied by Sir Robert Peel, then Prime Minister, and that he defended his conduct by reasoning that he

was as much entitled to the seat as any other member. Cobbett was, however, laughed and chaffed out of his vagary, and no other member cared to imitate him. In the Assembly of New South Wales a dozen members in an evening's sitting may be seen competing for the Treasury seats during the temporary absence of Ministers. These may possibly seem small matters, but they largely tend to impair the dignity of a deliberative assembly, and they would not be tolerated in a church nor in a public meeting. Like the proverbial continuous dropping of the raindrops, these things, persisted in day by day, probably have a more abiding effect in vitiating the character of the House than would be produced by occasional outbreaks of worse conduct arising from overheated passion or strong provocation.

In the conduct of administration the Australians have also brought into existence some anomalies which would perplex the lover of strict constitutional consistency in form and usage. While the Government of England has been steadily settling through the latest generations into something like a recognised harmonious organisation, a Colonial Government during its one generation of existence has often spasmodically drifted into the most incongruous forms of departmental action. I have pointed out in an early chapter with what a dead-weight of official lawyers the Government of New South Wales was launched into existence by Mr. Wentworth's Constitution. At the present time (1892), in three of the colonies, the Attorney-General, instead of confining himself to his legitimate sphere as law officer of the Crown, is acknowledged as the political chief of the Administration, while two of the actual Premiers are wandering about in distant parts of the world.

Arising out of these loose notions of ministerial connection and relevancy we have the self-contradictory

term of 'Acting Premier' lightly bandied about, and quietly repeated day after day by pretentious newspapers, as if there ever was in the Government of England an acting Prime Minister, or as if the thing were conceivable. Under the British Constitution (and that is what we all claim to possess in Australia) the Crown, either directly or by deputation, as in the colonies, commissions the person who is deemed to be best fitted, by political standing, knowledge of affairs, general capacity, weight of public character, and the degree in which he commands confidence, to form an Administration. No stipulation is made as to who are to be his associates. He receives his commission direct from the Crown or from the Crown's representative, as the sole responsible former of the Ministry. He consults no one, and ought not to consult anyone—because no secret or irresponsible advice or assistance ought to come into play—in selecting his colleagues. He is nominated by the Crown itself; they are nominated by him for the Crown's approval. He thus becomes First Minister, not by any empty ceremony or rule, nor as a matter of form, but by the acceptance and creative exercise of primal authority. In this first exercise of authority he is directly responsible to Parliament, and his wisdom will be found in his ability to justify his conduct. Henceforward, at every step of the Administration over which he presides he is responsible for the whole of its conduct. How, then, can there be an Acting Prime Minister? and how can the person who has accepted that great position delegate to another his indefinable powers which often take form and are called into activity by unanticipated and unforeseen emergencies? In England no men of the rank of Cabinet Ministers would consent to serve under one of themselves nominated by their accepted chief as 'Acting Premier'; but then no man could be found to propose any such arrangement.

Some time ago I had occasion to write to a distinguished person on the relations between the Crown and Ministers, more especially in respect to the acceptance of any office of profit, and I then expressed my views in the following propositions :

1. That the Prime Minister, the constructor and leader of the Ministry, cannot resign without his resignation including the whole Ministry [of course the Crown on its own judgment can send for any eligible person among the late Ministers to reconstruct].
2. That on tender of resignation the function of Adviser ceases, and only such opinion may be offered on any subject as is invited.
3. That in the case of any Minister, most of all in that of the Chief, the moment the intention is entertained to accept employment *under Government*, ineligibility for the performance of the executive and administrative duties of Government has begun, and resignation should at once follow.
4. That no Minister can be a party to appointing himself to a permanent civil office without his conduct being justly regarded as derogatory to the character and honour of Government.
5. That in the case of a contemplated reconstruction of Government, no person can be designated for that duty by the retiring Minister, except on the invitation of the Representative of the Crown.

Parliamentary government in Australia has proved itself upon the whole a remarkable success ; but this is not saying that it has been free from serious mistakes and some lamentable blots. Any contrast, though made from imperfect data, between the Australia of 1855 and the Australia of 1892 would convincingly show the vast

progress which has marked the Parliamentary interval of thirty-seven years. Making all fair allowance for the beneficial working of those moral and commercial agencies which would have come into increasingly active operation under any form of political institutions, still the results which are directly attributable to the legislative and administrative discernment, wisdom, and vigour of the new Constitution are immense. They are to be seen in the extension of railways and the greatly improved means of communication in all directions, in the scores upon scores of substantial bridges which span rivers and creeks where dangerous crossings served the purposes of travel in the last generation, in the wider spread of settlement and the better class of rural homesteads, in the gradual sweep of cultivation over the wild land, in the beauty-spots of orchard and flower-garden round poor men's homes; above all, in the beneficent provision, reaching everywhere, for the instruction of the happy children, in the popular demand for municipal institutions, in the multiplication of books accessible to the many, in the more systematic ordering of towns and villages, in the higher efficiency introduced into the departments of justice and police—in a word, in every feature of society. Yet there is an unreasoning desire to push on, a rude impatience of all restraint, which attacks any difficulty or delay in Parliament as in all other provinces of colonial life. If an inconvenient precedent is cited which the Chair decides is a bar to further progress in that direction or at that time, it is forthwith pronounced a musty relic of a barbarous age—a cobweb to be swept away. A like feeling arrays itself against forms of procedure which are the embodiment of the wisdom of generations. And occasionally when anything goes wrong the constitution of the Legislature is to be forthwith amended to provide a remedy. Party action in Parliament is to give way to perfect

harmony, where the best men on all sides are to unite in doing the best work.

There is not much difference in the Constitutions of the several Australian colonies, and all of them are imperfect instruments. But each of these Constitutions is sufficiently definitive, and at the same time sufficiently elastic, to admit of a sound and healthy system of free government. The constitution of a free people depends, as eminently in the case of the Constitution of the United States, upon the wisdom, the loyal attachment, the liberal interpretation, and the just conceptions of the men who work it. The evils of Party government, of which we hear much in the colonies as elsewhere, may be admitted, and they cannot be denied; but then every good thing is susceptible of abuse. What the people of Australia have to do is to follow faithfully in the footsteps of the founders of Parliamentary government, to scrupulously guard the ballot-box from corruption, and to reason out all questions of public policy by opposing sides acting from clear and honest beliefs. The greatest questions in relation to the public welfare admit of no compromise, nor yet of settlement or accommodation, except by the voice of the majority. What ground for agreement or accommodation can be discovered between freedom of commercial intercourse and restriction of commercial intercourse, or between denominational and non-sectarian education? If it be impossible to reconcile opposing principles, how otherwise, if not by conflict of thought and argument, and the final preponderance of votes, is the question to be determined? It is not Party in any true sense, but Party so-called, brought together by other means than attachment to and promulgation of openly avowed principles, which works the mischief at the ballot-box or in the Parliamentary arena. Australian patriotism should set aloft as its noblest aims in all its struggles, purity, honest conviction, and unbending courage. Instead of

the abolition of Party, we want an intelligent and a conscientious adherence to Party lines, the strongest cast of which is quite consistent with personal respect and courtesy in political intercourse.

One of the measures of this—my first Administration—was a Bill to repeal the *ad valorem* Customs duties which had been imposed by the previous Government. The Treasurer, Mr. George Alfred Lloyd, conducted the Bill through the Assembly and dealt with the policy of Free Trade, as proposed by the measure, with much ability and intelligence. In this course of legislation we had the warm sympathy of Sir Hercules Robinson, who, we found, was a strong free-trader from economic enquiry and conviction. On the subject of our fiscal policy and on the important question of introducing the elective principle in the constitution of the Upper Chamber, I had a lengthy correspondence with Earl Grey, two of whose letters I introduce here, on account of the permanent interest which must attach to his Lordship's opinions :—

Howick, Lesbury, Northumberland,
February 4, 1874.

Sir,—I have to thank you for your letter of December 1, which reached me a few days ago, and also for that of November 3, which I received a month earlier. I sincerely congratulate you upon having been able to accomplish a very important reform in the financial and commercial policy of New South Wales, and I feel no doubt that its good effect on the industry and trade of the colony will soon be apparent. I hope that this result of your measures may before long lead the other Australian colonies to follow your good example, and abandon the unwise policy of protection.

But though the new tariff of New South Wales is a great improvement on the old one, and as great an advance towards the adoption of a sound system as could reasonably be looked for at once, it would be a mistake to regard it as giving full effect to the principle of Free Trade. If I am not mistaken, the new tariff provides for the imposition of duties upon various

articles which are also produced in the colony and come into its market without being subject to similar taxation. Now, in all these cases, the true principle of Free Trade is departed from, since an artificial stimulus is given to the home production of all articles which the home producer is allowed to sell without paying the duties charged upon them when imported, and the consumers are taxed to give this stimulus without benefit to the revenue. For this reason, since the adoption of the policy of Free Trade, it has been a rule, strictly observed in this country, to allow no article, subject to a duty when imported from abroad, to be raised at home for sale, unless it pays a similar duty. Thus, as you are aware, the growth of tobacco in the United Kingdom is prohibited, except in very small quantities, for the use of the grower, and beet-root sugar made here pays the same duty as imported sugar. In so far as it is at variance with this rule, the new tariff of New South Wales departs from the principles of Free Trade, and to the same extent must tend to impoverish the colony, or at least to check its advance in wealth by diverting labour and capital from their natural, and therefore most productive employments, into others of which the profit depends on the artificial encouragement they receive.

I may take this opportunity of apologising for not having answered your letter of August 8, which I received in October. I did not do so because I had little to add in reply to it to what I had already written in my former letter, if I remember it correctly. In most of what you say against a nominated Upper Chamber I concur, but the question is whether there are not objections scarcely less strong against any form of an elected Upper Chamber which has yet been suggested, whether it is advisable to have any such Chamber at all, and whether, instead of attempting to alter the constitution of the Council, it would not be wiser to abolish it altogether, making at the same time some improvements in the constitution of the Assembly? I do not find any reasons urged in your letter against the conclusion I came to on this question, except that any such change as I suggested would be impracticable. No doubt it would be so in the present state of opinion in Australia, but have the reasons for the view I have taken of the subject ever been brought under the consideration of the colonial public? If not, I should have been glad if you had submitted them to the judgment of the people of New South Wales, by publishing my letter to you, or extracts from it, in the newspapers.

As you say you had not been able to find a copy of my essay on Parliamentary Government in the colony, I presume it is not in the library of the Legislature. I have not a spare copy by me, or I would have sent it to you to be placed there. Perhaps when I am in London I may find one and do so.

I am, faithfully yours,

GREY.

The Honourable H. Parkes.

Sydney, April 10, 1874.

My Lord,—I am duly in receipt of your letter of February 4. Your remarks respecting the tariff of this colony as left by the legislation of the present Administration are perfectly just; but we have not imposed any of the existing taxes—our efforts have been confined to the work of remission, stopping short of remitting all. It is probable that the tariff will be reduced to a purely Free Trade basis at an early date.

I am deeply sensible of the value of your views on the Legislative Council question, or rather on the question of the best form of legislature for the colonies, and I feel much indebted to you for the trouble you have taken in explaining those views to me. I understand your present letter as authorising me to publish your letter of May 27 last year, either whole or in part. Without this distinct intimation from yourself, I should not have considered myself at liberty to give publicity to your arguments and opinions. I shall now take occasion to place your letters, so far as they relate to this subject, before the public of this colony.

I send by present mail public documents on the question :

1. Report of the Legislative Council on the Legislative Council Bill.

2. Minutes of the Proceedings of the Legislative Council, Nos. 40 to 43.

As I informed you in my letter of August 8, 1873, would probably be the case, the Bill of the present Ministry was introduced in the Council this Session, having been passed in the Assembly by large majorities during last Session. An amendment was made on the motion to read the Bill the second time, to the effect that it be referred for the consideration of a Select Committee. This amendment was carried, and the report and evidence now sent form the result. By reference to pages 144 and 145 of Minutes of Proceedings, you will see the ulti-

mate decision of the Council after the committee had reported, which was in favour of the nominations being removed from the influence of the responsible Ministers, and of a maximum limit to the nomination of members. I need not point out that these recommendations, if carried into effect, would make the Council independent of even the indirect force of public opinion and place it in direct hostility to the representative principle. A Colonial Upper Chamber, appointed in this arbitrary manner, without reference to the responsible advisers of the Crown, and to which, after a defined limit, no further nominations could be made, would be, as compared with the House of Lords, a legislative oligarchy, while it would necessarily be composed of incomparably inferior persons as to legislative fitness. This, then, is the state in which the Council itself has left the question to be put before the constituencies at the approaching General Election.

After the further consideration which I have been able to bestow upon the subject, I cannot modify my views in favour of two Houses. A colony like New South Wales cannot possess a class of statesmen or political thinkers who have been born and nurtured amidst the best political influences, and who pass through life in constant communication with men of culture and elevated station. But, as compared with that of an old nation, the population of a colony contains a much larger proportion of enterprising, spirited, and self-reliant men. The mere fact of removal from one side of the world to the other may be accepted as implying some decision of character, and when that step is taken as the result of acquired information and with a definite purpose of self-advancement by industrious effort, it affords, I think, evidence of no small amount of practical intelligence. Such, to a large extent, is the character of the immigrant part of the population. In New South Wales we have now much of the stability of long-settled family life, and a numerous body of native-born men and women, very many of whom have been reared in circumstances of comfort, fairly educated, and accustomed to think and act for themselves with a keen sense of their personal freedom and independence. In the present Assembly there are at least thirty out of the seventy-two members who are native Australians. Then, there is a much larger proportion of the population here than in England who are possessors of property and leisure.

I have said thus much generally on behalf of the raw mate-

rial in the colony for legislative purposes. It may be rougher, but it is not less sound, I hope, than that of the mother-country, and it is, comparatively speaking, more plentiful. Your Lordship's strongest argument against a Second Chamber is, I think, that it is likely to absorb the better men, and by doing so impoverish the Assembly. But will that really be the case? Will it not be the case here, as it is elsewhere, that men of capacity who have for years taken part in the heated conflicts of the Assembly, will still find a sphere of usefulness by removing to the calmer atmosphere and the less severe labours of the Council, who otherwise would retire with their trained talent and refined experience into private life? And as time advances will not this class of public men more and more increase? Even in our short trial of Parliamentary government, several of the more valuable members of the Council have been men of this stamp, removed from, but who in any case would not probably have remained members of, the Assembly. If it is admitted, as is admitted by your arguments and suggestions, that there must be some check upon legislative action—some counterpoise to the impulsive exercise of legislative power—it still appears to me that the machinery of Government will work more smoothly and successfully by having this controlling force lodged in a Second Chamber rather than in a second class of legislators in a single Chamber. A single Legislative Chamber, composed of different classes of members, would be distracted by inherent antagonisms peculiar to its formation, and the work of its hands would, I fear, be often more perverse and ill-considered than would be that of a single Chamber on a level elective basis.

The radical misconception in the efforts to construct a Second Chamber in the colonies has, it seems to me, been in the supposition that we could create any kind of Chamber like the British House of Lords. That is simply impossible, and the idea must be given up before a healthy conception of the work can be formed. The title to legislative authority in a country like this must be derived from the people themselves, and the only principle by which strength can be given and confidence secured is that of election. If the choice lies between the laws being made by a single voice and the making of them being only possible by two distinct voices, I cannot resist the conclusion that it is wiser and safer to accept the two. The problem to be solved appears to me to consist in giving to both

voices an equal authority, and yet imparting to one a tone as free as possible from caprice and passion.

It is with a sincere feeling of respect for your Lordship's character that I venture thus imperfectly to express my inability to concur in your views in favour of a single Chamber.

I have the honour to be, my Lord,

Your most obedient servant,

HENRY PARKES.

The Right Honourable the Earl Grey.

13 Carlton House Terrace,
May 4, 1874.

Sir,—On hearing from you some months ago that you had not been able to obtain in New South Wales a copy of my essay on Parliamentary Government, I informed you that if on my arrival in London I found that I had one to spare I would send it to you. Accordingly I beg now to forward to you the accompanying volume, and I have to request that when you have looked at it (if you can find time to do so) you will be good enough to present it in my name to the library of the Legislature. Though it is ten years since this essay was published, and great changes have in that time taken place in the colonies, I venture to think that it contains some observations which may still be found not altogether unworthy of your attention, and of that of the members of the Legislature, with reference to the question as to the expediency of altering the constitution of the Legislative Council which has led to so much debate in the colony, and which as I understand still remains unsettled.

This question is one of great importance, and it seems to have been discussed with much ability both by the advocates and the opponents of the proposed change; but as an impartial observer from a distance I must doubt whether either party has sufficiently considered the objections to the arrangement for which it contends, and whether in the heat of the controversy both have not fallen into serious errors.—So far as regards the reasons which have been urged against allowing the present nominee Council to continue, I must express my concurrence with the supporters of the rejected Bill; but I am not equally satisfied that to make the Council an elective body in the manner proposed would be likely to ensure such a judicious exercise of the power of legislation as is required for the welfare of the colony. The elective Council, I fear, would either be without power

enough to exercise any substantial power over legislation, or else it would be liable to bring the whole machine of government to a standstill by differences with the Assembly. All experience shows that differences would be likely to arise between the two branches of the Legislature, and I do not perceive that under the plan proposed there would have been any sufficient provision for averting the difficulties which would thus be occasioned. The creation of an elective Council would also either have the effect of weakening the Assembly by withdrawing from it able and useful members, or else must fail to obtain the authority and command of the public respect which it could only derive from being composed of men of high character and capacity. It is not reasonable to suppose that out of its present limited population, New South Wales could command the services of enough men of this stamp to form two really efficient legislative bodies, sufficiently numerous for the due performance of their functions. For it must be borne in mind that it is of great importance for the efficiency of a legislative body that it should be tolerably numerous. This is more particularly true where the system of 'responsible,' or in other words of party government, has been adopted, since under this system of government the popular branch of the Legislature is so powerful that if it consists of only a small number of members, individual votes become of so much value as to give a great temptation to abuse.

These considerations have led me to the conclusion that instead of attempting to improve the Legislative Council by rendering it elective, it would be advisable to abolish it. I am aware that this conclusion is quite opposed to the generally received opinion that the division of a Legislature into two houses is indispensable in order to check hasty and injudicious legislation. Whether this commonly received opinion is correct, even as regards large nations, may admit of some doubt, nor would it be easy to show that in any country where no Upper House has been found existing and deriving authority from long prescription, the problem of creating such a body, and getting it to work well with the popular branch of the Legislature, has been satisfactorily solved. But passing by this question, it is sufficient to observe that in young communities like the British colonies, experience appears to me to be clearly unfavourable to the division of the Legislature into two distinct bodies. At the same time I am not prepared to deny that mistakes very

injurious to the colony would probably be committed by the Legislative Assembly of New South Wales as now constituted, if no provision were made to secure greater deliberation and judgment in the work of legislation than could be looked for were the Council to be simply abolished. I fully recognise the necessity for imposing some check upon the hasty and unwise measures a purely democratic body like the Assembly might adopt, but I believe that this check might be much more usefully applied within than without its walls.

In the volume I now send you I have expressed my opinion that in this respect the Constitution given to New South Wales in 1842, under which the Legislature consisted of a single chamber, one-third of the members being nominees, was better than that which was substituted for it a few years later. I adhere to that opinion, and I still believe, for the reasons fully explained in my essay, that the change which was made was a mistake, and that the system of responsible government would have worked far better in New South Wales if the old constitution of the Legislature had been retained. To restore it, however, would be impossible, and I only refer to it in order to point out that it deserves to be considered whether the principle on which it was founded might not be adopted to the extent of dispensing with any second branch of the Legislature, and of introducing into the Assembly a limited number of members who should not owe their seats to popular election, without being, as formerly, nominees. What I would venture to suggest is, that in abolishing the Council, a limited number of seats in the Assembly (say eight or ten) should be given to members chosen by the Assembly itself, and holding their seats for life, or till they resigned them. The first life members might be named in the Act for altering the Constitution, and it might be provided that vacancies should be filled up only when not less than three had occurred, when the Assembly should elect by cumulative vote the persons to succeed to them.

By this arrangement we might fairly expect that the ablest and most experienced men of different political parties would obtain seats in the Assembly, and that holding these seats for life they would be able to act with independence on their own judgment. The advice of such men would be of the highest value to the Assembly in determining the questions that come before it, and a useful check on rash legislation. You will find that in the essay I have sent you I have contended that the want

of such an element as would thus be supplied in the composition of the Assembly, has been greatly felt in the House of Commons since the passing of the Reform Act of 1832. Before that Act was passed, the rotten boroughs (as they were called) practically provided, though in a faulty manner, for securing the presence in the House of Commons, in an independent position, of the most eminent men of all parties. Since the passing of the first Reform Act, the loss of this advantage has been very seriously felt, and it is likely to be still more so in the time to come, in consequence of the new Reform Act of 1867. This fact strongly supports my opinion that the introduction of a few life members, appointed in the manner I have described, would be an important improvement in the composition of the Assembly of New South Wales. It would also, I am convinced, prove a far more effective security against rash legislation by a purely democratic Assembly than could be afforded by the creation of any Council that could be devised, whether on the principle of election or of nomination. Any such Council could only stop unwise measures on the part of the Assembly at the risk of bringing both legislation and the whole machine of government to a stand. But by introducing within the Assembly itself a limited number of able and independent men, their restraining influence upon the members representing the popular feeling of the moment would act with far more effect, and all risk of the extreme inconvenience arising from differences between two independent houses would be averted. I am persuaded that the passing of such a measure as I have now suggested would afford the best and safest mode of terminating the controversy as to the Legislative Council, which has been raised in the colony, and I would add that the passing of such a measure might be rendered easier by providing that the present members of the Council should be the first life members of the Assembly. Probably this would bring into that body more life members than would be desirable, but this need not be more than a temporary inconvenience, as it might be provided that no new life members should be chosen till they had fallen below any smaller number which might be fixed upon as that to be permanently maintained. Even the inconvenience of a temporary excess in the number of life members might be avoided, if those who have now seats in the Council should be able to agree among themselves as to which of them should forego the privilege of being brought into the Assembly.

I have only, in conclusion, to apologise for the length of this letter, which I have been led to write by the deep interest I feel in the welfare of the thriving colony of New South Wales.

I have the honour to be, Sir,
Your obedient Servant,
GREY.

The Honourable H. Parkes.

About this time I first communicated with Mr. Gladstone. I had been an admirer of that statesman for many years, and I was beginning to think in a new light of the relations between the colonies and the parent country, and of the bonds which might eventually be devised to unite all the Australian colonies under one federal Constitution. The subject, which I submitted in general terms to Mr. Gladstone, may be gathered from the following extract from my letter: 'Any new national importance that could be given to these young States would tend to bind them more firmly to Great Britain, and would tend more and more to develop their resources by inducing men who have made fortunes to remain permanently amongst us. A Federal Government, including uniformity in Customs laws, would come more speedily from a higher political status. I should feel deeply indebted to you if you could examine the question which I have merely suggested.'

Hawarden Castle, Chester,
July 30, 1874.

Dear Sir,—I beg to acknowledge your interesting letter of June 5, and to express the pleasure with which I learn that, while we are locally separated by so vast a distance, we are nevertheless united by sympathy as attached subjects of the British Crown.

The subject which you mention to me is very large and comprehensive. It is also one by no means new to my thoughts. I think you may rest assured that the people of England have no wish to limit in any respect by pressure upon the colonies

their powers of self-government. The less there is of such pressure, the greater probably will be the desire to maintain the Imperial connection. All that can be fairly asked, and that must in justice be desired, is that the responsibility of England shall be relaxed or contracted in proportion to the limitation of her power. In their present mood, and with the prosperity that prevails among the classes possessed of influence, it is not unlikely to happen that England may be too remiss in providing for the reciprocal character of any measures that may be adopted. At any rate, I am sure you may be confident that no restrictive views will prevail to the prejudice of colonial freedom.

Wishing you all comfort and good success in the discharge of your important duties,

I remain, dear Sir,

Your very faithful servant,

W. E. GLADSTONE.

Honourable H. Parkes.

Colonial Secretary's Office, Sydney,
September 26, 1874.

Sir,—I thank you for your letter of July 30, and for the frank expression of your views on the relations of England to the colonies. There can be no ground for apprehension that the loyalty of the colonies to the parent Nation or Imperial rule will diminish under the influences of self-government, and I unreservedly subscribe to the maxim, as stated by you, that England should be relieved of responsibility in proportion as her power is withdrawn from these outlying parts of the Empire. So far back as 1858, I made a motion in the Legislative Assembly to the effect that this colony should provide for its own military defence.

The grievance under which we sometimes fret, but more frequently laugh, is that England, as represented by her eminent men, and by her literature, forms no adequate conception of our importance. I enclose a table prepared here recently with much care, showing the aggregate and relative importance of these colonies. If at any moment of leisure you will compare the account given in the latest Gazetteer, you will see how we are popularly underrated.

I take the liberty of sending this table because I fear that in my letter of June 5 (having referred to a memoran-

dum I made of it), I mechanically wrote 200,000 instead of 2,000,000 as the Australian population.

With great respect.

I remain, Sir,

Your faithful servant,

HENRY PARKES.

The Right Honourable

W. E. Gladstone, M.P., &c., &c.

During this Administration an agreement was entered into by the Governments of Victoria, South Australia, and New South Wales for suspending the collection of Border Customs duties, practically establishing overland free trade between the three colonies for three years; but the treaty was abrogated by Victoria before the expiration of that term, and no similar measure has since been attempted.

The electric telegraph uniting the colonies with England was also established, and important steps were taken towards improving the ocean mail services, including the opening of the new route between Australia and America.

These various questions of high concern to the colonies led to much controversy; but the Government carried their measures in Parliament by large majorities. Indeed, the Ministry was in the end only defeated on a question of the exercise of the prerogative of pardon in criminal cases, which was tortured by heated passions and false representation into a charge of maladministration. As this discloses some of the worst features of Australian public life, while it was the cause of widening the recognised sphere of ministerial responsibility, the circumstances of the case are explained at some length.

While I was in England as Emigration Commissioner, in 1862, the crime of bushranging broke out with much violence in New South Wales, and in particular the name of Frank Gardiner became notorious as that of the reputed leader of a gang who stopped

and robbed the gold escort at Eugowra. Several young men, arrested on the charge of being engaged in the escort robbery, were tried before Sir Alfred Stephen, Chief Justice, and capitally convicted of the crime, one of them suffering death. Gardiner, however, was not apprehended until February 1864, when he was discovered keeping a store at Apis Creek in Queensland, under the name of Christie. He was brought up for trial before Sir Alfred Stephen in July following, not for the escort robbery, but on two charges not capital, of which he was convicted, receiving three cumulative sentences amounting to thirty-two years' imprisonment, the first two years in irons. The late Sir James Martin, then Attorney-General, and afterwards Chief Justice, made a minute on Gardiner's complicity in the Eugowra outrage in these words:—'The only capital case against Gardiner appears to be the case of the escort robbery, and as to that it seems to me that a conviction could not be reasonably expected,' adding his reasons for this opinion.

In 1871—a little more than seven years after Gardiner's conviction—two sisters of the prisoner got up a petition for his release; and they succeeded in obtaining in support of their petition the signatures of many respectable persons, including some who had held high offices in the colony. Mr. William Bede Dalley, who had held high office as Solicitor-General, and who was afterwards Attorney-General of the colony, signed his name to the following recommendation:—'We the undersigned beg most respectfully to recommend the foregoing petition to your Excellency's merciful consideration, the more especially from the desire to reform evidenced by the prisoner before capture, and his conduct since his incarceration; and trust that your Excellency may be pleased, under all the circumstances of the case, *to deem the period of the sentence already expired sufficient for the ends of justice.*'

Attached to the recommendation of the petition were the names of several members of Parliament, and those of a number of magistrates and well-known merchants and traders. Mr. William Forster, M.P., who had filled the office of Colonial Secretary at the time of Gardiner's conviction, was specially referred to in the body of the petition. It stated that, on the occasion of an outbreak of prisoners in the gaol, Gardiner's conduct was 'so noticed by the Inspector-General of Police that he assured the prisoner that he would see the Colonial Secretary (Mr. Forster), and have a record of it made for the future benefit of the prisoner.' The petition, with this special reference to himself, was taken to Mr. Forster (now out of office) for his signature; and, with his attention thus challenged, he wrote, and subscribed his name under, the following words: 'Having been referred to in a petition for the mitigation of the sentence of Francis Christie, as holding the office of Colonial Secretary when an outbreak occurred in Darlinghurst Gaol, I have much pleasure in testifying to the fact of Christie's good conduct on that occasion, as well as to his general conduct during the entire period of his incarceration, so far as it came under my notice in either case. I am glad to record this opinion, so that it may operate as it ought in the prisoner's favour. And, so far as these and other circumstances mentioned in the petition entitle his case to the favourable consideration of the Government, I am willing to add my testimony and recommendation.' The 'recommendation' of Mr. Forster was dated December 29, 1871—about seven years and six months after Gardiner's conviction—and it was written immediately below Mr. Dalley's 'recommendation,' which expressed the hope that the Governor would be pleased, 'under all the circumstances of the case, to deem the period of the sentence already expired sufficient for the ends of justice.' About the same time the petition

was brought to me for my signature, but I refused to sign it.

I entered upon the duties of the Colonial Secretary's office on May 14, 1872, and the petition for the mitigation of Gardiner's sentence came to me in due course to be dealt with. As the prayer for the mitigation principally rested on the ground of Gardiner's good conduct in prison, I sent the petition in the first instance to the Inspector of Prisons for his report. As reports from this officer are not called for in all cases, my calling for a report from him in Gardiner's case was subsequently attempted to be tortured into evidence that I had some design to favour the prisoner. But it must be obvious to every intelligent and unprejudiced mind that, in a case of so much importance, where the question was one mainly of the prisoner's good conduct, if I had not obtained the report of the only officer whose business it was to be well acquainted with his prison life, I should have greatly failed in my duty, and laid myself open to well-merited blame. With this report, and reports from the officers of the gaol, and all other papers connected with the case, the petition was sent for the report of the Chief Justice, who had tried and sentenced Gardiner. So far from seeing any impropriety in the report from the Inspector of Prisons, the Chief Justice in his own report characterised that officer's remarks as 'very judicious.'

Having thus brought together all the facts of the case, the opinions and testimony of the principal officers who had had charge of the prisoner, and the views of the judge by whom he had been tried, I submitted the petition to the Governor with a written minute of my own explaining the standing of the principal persons whose names were appended to it. This I did more fully in conversation with His Excellency about the same time, but I certainly had no desire, and never intended at any time, to do more than fairly explain both

sides of the case. I took this course of explanation because His Excellency, having but recently arrived in the colony, could not be supposed to know either the special features of the prisoner's case or the positions of the persons who were using their influence in his favour, two of whom were ex-members of the Executive Council. Up to this time I had regarded the prerogative of pardon as vested absolutely in the Representative of the Crown, and I was aware, of my own knowledge, that two Governors at least—Sir John Young and the Earl of Belmore—had exercised it, as a rule, without the advice of Ministers.

On receiving this petition in December, 1872, what did the Governor himself do? He did not grant the prayer of the petitioners. He did not concur in the recommendation of Mr. Attorney-General Dalley in December 1871—that the ends of justice would be answered by the seven years and six months of his sentence which the prisoner had then suffered, and that he might be released instantly unconditionally. He did not yield to the specious 'recommendation' of Mr. Forster, who had recorded his opinion in December 1871 also, 'that it might operate as it ought in the prisoner's favour.' Sir Hercules Robinson judged the case on its merits, possibly attaching some weight to the opinions of the two ex-members of the Executive Council, but really mastering for himself the perplexities which surround the abnormal condition of our prison population. He knew that good-conduct prisoners were immured for unlimited years within the four dead walls of the same gaol in few Christian countries. His decision, I believe, while merciful to the prisoner, was just to society, and thoroughly sound in the interests of criminal treatment. He decided that, if the prisoner's conduct continued good for the term of ten years, he might then be allowed to exile himself. In arriving at this decision Sir Hercules Robinson took

care to state that he 'did not concur with the petitioners that the sentence which the prisoner had undergone was sufficient for the ends of justice.'

Several months after this decision in favour of Gardiner's exile—namely, in the early part of 1874—another petition was got up by one of the prisoner's sisters, praying that he might be released in the colony; and the name of Mr. Attorney-General Dalley was appended to this second petition. The case was again referred to the Inspector of Prisons for his report, and was then submitted to the Governor with the following words covered by my initials:—'The Sheriff strongly deprecates a compliance with the prayer of the petition.' The Governor minuted the petition simply 'Refused.'

This case, as favoured by the powerful influence of Mr. Forster in 1871, as dealt with ministerially by me, and as decided by Her Majesty's representative in 1872, was in 1874 made the subject of noisy agitations, inflamed by political passion and distracted by misrepresentations, in order to overthrow the Government whose measures and policy were generally approved by the country. Mr. Forster himself, amongst others, vigilantly assisted in the manœuvre.

Two considerations seem to justify this rather lengthy reference to the Gardiner case. It led to an entire change in the treatment of prisoners' appeals for a merciful exercise of the prerogative, and it was made the discreditable means of overthrowing the Government.

The case of Gardiner became the subject of frequent questioning and reference in the House, and Mr. Edward Combes, then member for Bathurst, gave notice of a condemnatory motion, which, as the case had been considered in connection with twenty-three others, finally took the following form: 'That this House disapproves of the release of the long-sentenced prisoners

whose names are set forth in the returns laid upon the table of this House by the Honourable the Colonial Secretary on May 22, 1874, including the name of the notorious prisoner Gardiner.' Mr. Combes made his motion on June 3, as an amendment on going into Supply, and the debate was continued over several nights, closing on June 11 with a division of 26 to 26. The motion was negatived by the Speaker's casting vote.

In the meantime Ministers had addressed themselves to the consideration of the position in which the prerogative of pardon was actually exercised, and what ought to be our responsibility in relation to its exercise. It appeared to me, and I believe to my colleagues also, that the questions we had to consider were perplexed rather than cleared of perplexities by recent despatches from the Imperial Government on the subject. The result of our deliberations was embodied in the following paper :

MINUTE FOR HIS EXCELLENCY THE GOVERNOR.

I have given much consideration to the expediency of changing the system of treatment in the cases of petitions presented for the absolute or conditional pardon of convicted offenders, and have carefully read the correspondence on the subject, commencing with Lord Belmore's despatch of July 14, 1869, and closing with Lord Kimberley's despatch of February 17, 1873.

The minute of Mr. Robertson, which gave rise to this correspondence, does not appear to me to deal with the real question which the despatches of the Secretary of State present for determination in the colony. That question, in any view, is the extent to which the Minister is to have an active voice in the decision of these cases ; but in my view it is much more—it is whether the Minister is virtually to decide in every case upon his own direct responsibility, subject of course to the refusal of the Crown to accept his advice, which refusal at any time should be held to be, as in all other cases, tantamount to

dispensing with his services. The seventh paragraph of the minute alone touches the question of the Minister's relation to the Crown, and it seems to prescribe a position for the Minister in which, on submitting petitions to the Governor, he is to express an opinion on each case, to be 'viewed as embodying no more than a recommendation,' after which he is to have no further concern in the matter. I cannot subscribe to this principle of Ministerial conduct, if this be what was intended by Mr. Robertson.

There can be no question, I believe, that from the beginning of the present reign the Home Secretary in England decides absolutely in all matters of this kind in the name of the Crown, and that the Crown does not in practice interfere. At no former time when the Crown took an active part in such decisions could the Crown, in the nature of things, be subject to a superior or an instructing authority. The wide difference between the position of the Minister and his relations to the Crown and to Parliament in the colony and in England is at once apparent on reading the despatches from the Secretary of State. The Governor is invested with the prerogative of the Crown to grant pardons, and, by the letter of the instructions conveyed to him by Lord Kimberley's circular of November 1, 1871, he 'is bound to examine personally each case in which he is called upon to exercise the power entrusted to him.' By the instructions previously conveyed to the Governor of this colony by Lord Granville, in reply to Lord Belmore's despatch of July 14, 1869, he is told that 'the responsibility of deciding upon such applications rests with the Governor,' and, in reference obviously to advice that may be tendered, it is expressly added that the Governor 'has undoubtedly a right to act upon his own independent judgment.' And, finally, after the question has been re-opened by Sir Alfred Stephen, it is repeated by Lord Kimberley's despatch of February 17, 1873, that 'in granting pardons' the Governor 'has strictly a right to exercise an independent judgment.'

It seems to be clear that the 'portion of the Queen's prerogative' entrusted to the Governor of a colony, unlike the prerogative in England, is intended to be a reality in its exercise. It is undeniably the case that the representative of the Crown in a colony, unlike the Crown itself, is subject to a superior or instructing authority. What, then, is the position of the Minister, and what is intended to be the nature of the advice he

may be called upon to give, and under what circumstances is that advice to be given?

In no sense of responsibility in this respect has the Minister in this colony hitherto been in the same position as the Home Secretary in England. He has neither exercised the function of pardon, nor as a rule been asked for advice. Except in rare cases, and then only in a limited degree, when special features or new facts have presented themselves, he has never actively interfered. What would be his position if he entered upon a system of partial advice, and accepted in matters of the gravest moment a secondary or limited authority, irreconcilable with the nature of his duties and responsibilities as a Minister under Parliamentary government?

Lord Granville says, 'The Governor would be bound to allow great weight to the recommendation of his Ministry.' The circular of November 1, 1871, says, 'He will of course pay due regard to the advice of his Ministers.' Lord Kimberley, in his despatch of February 17, 1873, repeats the words of Lord Granville.

It cannot be doubted that the advice here intended is wholly distinct in its nature from the advice given in the general conduct of affairs. In the general case the advice is uniformly accepted, as the first condition of the adviser continuing to hold office. In all his acts the Minister's responsibility to Parliament is simple, undivided, and direct. But in pardoning convicted offenders, the Governor, although he is to 'pay due regard to the advice of his Ministers,' is at the same time informed by the Secretary of State that he 'is bound to examine personally each case in which he is called upon to exercise the power entrusted to him,' and that with him rests the responsibility. The exceptional advice implied seems to be of the nature of opinions, or suggestions to which weight may be attached as coming from persons 'responsible to the colony for the proper administration of justice and the prevention of crime,' but which in any case, or in every case, may be partially or wholly disregarded.

It does not appear to be clear that the Governor is required by the Secretary of State to seek even this secondary class of advice in all cases. It would rather seem that the instruction does not necessarily extend beyond cases in which pardons are proposed to be granted, in which cases the Minister would simply have to concur in a decision already formed, or be placed in the somewhat invidious position of objecting to the extension

of mercy. This view would shut out from the Minister's limited power of advice the numerous cases in which much concern is frequently felt by portions of the public, where a merciful consideration is prayed for and is refused.

I entertain grave doubts whether any change at present from the system which has hitherto prevailed will be beneficial to the colony. In a community so small as ours the distinctions between classes are very slight. The persons entrusted with authority and the relatives and friends of prisoners move closely together. The means of political pressure are easily accessible. A larger share by the Minister in the exercise of the prerogative of pardon would not, in my judgment, be more satisfactory to the public. But if a change is to take place, and the cases of prisoners are to be decided on the advice of Ministers, I can see no sufficient reason for making a distinction between this class of business and the ordinary business of Government. The Minister ought to enquire into and examine each case, and each case ought to be decided on his advice. The refusal of the Governor to accept his advice in any case of this kind ought to have the same significance and effect as a similar refusal in any other case. In no other way can the Minister be fairly responsible to Parliament for what is done. Either 'the responsibility of deciding upon such applications' must still 'rest with the Governor,' as Lord Granville expresses it, or it must rest with the Minister in the only way in which it would be just to hold him responsible.

HENRY PARKES.

Colonial Secretary's Office, Sydney,
May 30, 1874.

The change proposed—namely, that the prerogative of pardon should in future be exercised on the advice of Ministers—met with the approval of the Governor, who signified his concurrence, with a full explanation of his own views, in the minute which is here subjoined:—

MINUTE BY THE GOVERNOR FOR THE EXECUTIVE COUNCIL.

I have read the minute of the Honourable the Colonial Secretary upon the subject of pardons, and it has occurred to me that the difficulty of dividing the responsibility in this matter,

in the manner suggested by the late Secretary of State, can perhaps best be illustrated by showing how such a system would work in the practical transaction of business.

Hitherto the practice here has been for all applications for mitigation of sentences to be submitted to the Governor for his independent decision thereon. Some are sent to him direct through the post by the petitioners, others are presented personally by influential persons interested, whilst the remainder reach him through the Colonial Secretary's office, without any expression of opinion from the Minister. Taken altogether these applications are numerous. I have not kept any count of them, but I should think that a weekly average of twelve would certainly be below the number. All are carefully perused by the Governor. Some—in which the grounds stated, even if proved, would be insufficient to justify remission—are summarily rejected; others, upon which enquiry may seem desirable, are referred for the report of the Sheriff and the sentencing official, and sometimes the opinion of the Crown Law Officer is asked for. Previous petitions and papers in each case (if any) are carefully perused, and eventually the Governor gives his decision according to his own independent judgment. The papers are then sent to the Colonial Secretary's office, where the necessary official steps are taken to carry the decision into effect, without, I believe, in ordinary cases, the matter being even brought under the notice of the Minister.

! If a change such as has been suggested were to be carried out, the first question to be decided would be by whom should all petitions and applications for mitigation of sentences be considered in the first instance—by the Governor or by the Minister?

If, as at present, by the Governor, what would be the consequence under the instructions contained in the Secretary of State's circular despatch of November 1, 1871? The words of that despatch are as follows:

'The Governor, as invested with a portion of the Queen's prerogative, is bound to examine personally each case in which he is called upon to exercise the power entrusted to him, although, in a colony under Responsible Government, he will of course pay due regard to the advice of his Ministers, who are responsible to the colony for the proper administration of justice and prevention of crime, *and will not grant and pardon without receiving their advice thereupon.*'

The last few words which I have underlined are not quoted by the Colonial Secretary in his minute, but they are important as showing the precise view taken by the Secretary of State. The Governor apparently may, after personally examining any petition for mitigation, and after giving due weight to the advice of his Ministers, exercise an independent judgment, and reject the application. He may say 'No' on his own authority, but he can only say 'Yes' on the advice of a Minister. The idea would seem to be to make the Governor and the Ministers mutually act as checks on each other. Either can negative a prayer for pardon, but both must concur before any such application can be granted. If, therefore, the petitions were considered in the first instance by the Governor, all cases rejected by him would at once be withdrawn from the cognisance or control of the Minister—a proceeding of which the latter might justly complain if any responsibility at all were to be imposed on him in this matter. In all cases in which the Governor proposed to mitigate the sentence, his decision would have to be approved and confirmed by the Minister, who might, if he saw fit, veto the merciful intentions of the Governor. It appears to me the Governor and the Minister would occupy somewhat anomalous positions in such cases. Under a constitutional form of Government the Crown is supposed to accept or reject the advice of responsible Ministers: in this matter the Minister would adopt or reject as he pleased the advice of the Representative of the Crown!

But suppose, on the other hand, that all petitions were considered and reported on in the first instance by the Minister, what would then be the result? Why, all cases rejected by the Minister need never be sent on at all to the Governor, to whom they would be addressed. For, as the Governor could not pardon without the advice of the Minister, there would be no object in troubling him with applications which he could not comply with. In cases in which the Minister advised a mitigation, the Governor could of course, if he saw proper, in the exercise of his 'undoubted right,' reject such advice—upon being prepared to accept the consequences. But practically he would never do so, except in cases which in his view involved such a gross abuse of the prerogative that both the Secretary of State and local public opinion would be likely to support him in the adoption of extreme measures. In all ordinary cases, in which neither Imperial interests nor policy were involved, the Go-

vernor, whatever his own private opinion might be, 'would be bound to allow great weight to the recommendation of his Ministry, who are responsible to the colony for the proper administration of justice and prevention of crime.' Practically under such a system the prerogative of mercy would be transferred from the Governor to the Minister charged with such duties.

It was perhaps the recognition of some such difficulties which led to the suggestion of a compromise between these two systems, thrown out in Lord Kimberley's last despatch on the subject. In effect, his Lordship appears to suggest that the Governor might continue, as at present, to examine into and deal with all petitions for pardon; but that he should, before granting a mitigation of sentence in any case, ascertain by means of informal consultation that the Minister concurred in such a step. I fear that such a plan would not work well, and that its effect would simply be to fritter away any real or clearly-defined responsibility in such matters. In the first place, who would be responsible for the appeals rejected upon which charges of sectarian partiality or official corruption might possibly be based? Is the Governor to remain responsible for refusals, and the Minister to become responsible for pardons? Again, if the Minister is to be responsible for pardons, he would have, unless his concurrence were a mere matter of form, to go through all the reports and papers in each case in which a pardon was proposed by the Governor; and, as I have before shown, he would have to place upon the papers in writing his final acceptance or rejection of the Governor's advice. If such grave matters were disposed of in informal conversations, such a loose mode of transacting business would inevitably result in mistakes and misapprehensions. The Governor might decide a case under the full impression that the Minister concurred in his view, and yet he might find subsequently that there was some misunderstanding, and that his decision was repudiated and condemned.

For these reasons I entirely concur in the conclusion arrived at by the Honourable the Colonial Secretary in his minute—that the responsibility for the exercise here of the Queen's prerogative of pardon must either, as heretofore, rest solely with the Governor, or it must be transferred to a Minister who will be subject in this as in the discharge of other administrative functions only to those checks which the Constitution imposes on every servant of the Crown who is at the same time respon-

sible to Parliament. The real question at issue is thus brought within narrow limits.

The Colonial Secretary expresses 'grave doubts whether any change at present from the system which has hitherto prevailed here will be beneficial to the colony,' and he thinks that under the circumstances existing here the prerogative of pardon will be better exercised by the Governor than by the Minister. If the validity of such an argument were once admitted, it might perhaps be held to extend to other branches of administrative business. But the very essence of the Constitution is responsibility to Parliament for the administration of local affairs; and possessing, as the system does within itself, a prompt and effectual means of correcting any abuse of power, there can be little doubt that political training and official experience will soon impose restraints upon those impulses which sometimes mar the earlier attempts at self-government.

I have felt ever since my first arrival in the colony that the practice which has hitherto prevailed here, of entrusting an important branch of local administration solely to an officer who is not responsible to Parliament, is highly objectionable; and as I fail to see that any plan of divided responsibility in such a matter can be devised, I can only repeat here what I have on several occasions since the receipt of Lord Kimberley's last despatch stated to the Colonial Secretary in conversation—namely, that I am quite prepared to adopt a change of system; and I think for the future all applications for mitigation of sentences should be submitted to me through the intervention of a responsible Minister, whose opinion and advice as regards each case should be specified in writing upon the papers.

HERCULES ROBINSON.

Government House, June 1, 1874.

The Executive Council, on June 2, approved of the change, which was at once acted upon in all new cases. This step was not taken by me without serious misgivings, which I still feel, as to the entire wisdom of the change. But it seemed that the Ministers of the day had forced upon them by an unscrupulous party movement the choice between responsibility without authority and the authority of an active judgment coupled with a just responsibility. The new practice

has now been substantially approved by the Secretary of State.¹

Having regard to the exceptional state of the prerogative question up to that time, Ministers did not look upon Mr. Combes' motion as one entitled to political significance; and, as we were then overburdened with public business, we paid no attention to it.

The next Session opened on November 3. The Governor had sent down to the House on June 25 previous a minute explaining his reasons for the course he had taken in the Gardiner case. The Opposition (led by the late Sir John Robertson) did not fail to attack the Government the moment the House met, but the Governor's minute on the Gardiner case did not form one of his grounds of attack. He submitted an amendment on the Address, censuring the Government for not calling Parliament together at an earlier date, for its conduct in the matter of the Pacific Mail Service, and for other matters; but his motion contained no word of censure on the Governor's minute. On this motion of censure Mr. Robertson was beaten by 37 to 13, showing with sufficient clearness the feeling of the Assembly on the general policy of the Government. On November 25 Mr. Combes brought forward a resolution condemning the Governor's minute, on which the House divided, with 28 to 28, the motion being again negatived by the Speaker's casting vote. Ministers could not regard this decision by the vote of the Speaker as they regarded the decision of June 11. The terms of the motion, and the course of action virtually marked by disapproval, were wholly different, and assumed more distinctly a political complexion. We could not hope after this vote to conduct business in the Assembly with satisfaction, and we therefore advised the Crown to dissolve the House, which in any

¹ See Lord Carnarvon's despatch of October 7, 1874, No. 54.

case was approaching, under the new Triennial Act, the end of its existence.

The general election that followed resulted in the return of a large majority of members who either openly approved, or abstained from expressing disapproval of, the general policy of the Government. The new Parliament met on January 27, 1875, and Mr. Robertson (afterwards Sir John), having learned a lesson from Mr. Combes, abstained from attacking the Government on general grounds, but moved an amendment on the Address in the following words:

We would desire, with reference to the important matter which led to the dissolution of the late Parliament, most respectfully to express our regret that your Excellency's responsible Ministers should have advised you to communicate to the Legislative Assembly your minute to the Executive Council, dated June 23 last, with reference to the release of the prisoner Gardiner, because it is indefensible in certain of its allegations, and because, if it is considered to be an answer to the respectful and earnest petitions of the people, it is highly undesirable to convert the records of this House into a means of conveying censure or reproof to our constituents; and if it refer to the discussions in this Chamber, then it is in spirit and effect a breach of the constitutional privileges of Parliament.

Thus, the Governor's minute, which had been entirely overlooked by Mr. Robertson in the beginning of November, was in January made Mr. Robertson's battleground. The division was taken before midnight on the 28th, and in a House of 62 members the Government was defeated by a majority of four.

The defeated Ministers did not wait for any further expression of the feeling of Parliament, but on the next day our resignations were tendered to the Governor, who, however, declined for several days to accept them. His Excellency very naturally felt aggrieved by the words in the amendment which declared that his minute was 'indefensible in certain of its allegations.'

The Address as amended was presented by the Speaker, no motion having been made for its presentation by the House. Thus ended my first Administration, which retired on February 8, 1875, having held office within a few days of two years and nine months.

CHAPTER XIII

IN OPPOSITION—AN UNAPPROPRIATED SURPLUS A PUBLIC EVIL—MY SECOND ADMINISTRATION—SIR HERCULES ROBINSON AND CONDITIONAL DISSOLUTIONS—THE TRIAL OF 'NEW BLOOD'—MY WITHDRAWAL FROM POLITICAL ACTIVITY—WEAK GOVERNMENTS—UNION OF THE OPPOSITION—AGAIN 'SENT FOR'—MY THIRD ADMINISTRATION.

My place for the next two years was in Opposition. I regularly attended the House and took my full share in the debates. Mr. Forster, the new Treasurer, made his budget speech on April 1, and estimated his surplus at the end of the year at 857,305*l.* 12*s.* 8*d.*, which proved to be an under-estimate. Holding the opinion that large surpluses loosely held in the Treasury may become the source of pernicious public transactions, I moved on May 16 the following resolutions, which were carried without division:

(1) That the experience of the last three years has established the fact that the revenue derived from all sources is largely in excess of the necessary expenditure of the Government.

(2) That the existence of a large cash surplus at the credit of the Government is unsound in principle and policy, and ought not to be continued.

(3) That the existing surplus ought to be expended without unnecessary delay, not less than 150,000*l.* per annum, in promoting immigration from Great Britain and Ireland, and the balance in carrying out works of public improvement.

(4) That a measure ought to be passed into law for regulating the introduction of immigrants, and that the proposals

and plans for all public works to be carried out by the expenditure of the said surplus ought to be submitted for the approval of this House.

The Government sustained repeated defeats during its rather uneasy existence, and on March 6, 1877, I moved :—

That the retention of office by Ministers after having suffered, within nine sitting days, four general defeats on motions expressive of condemnation and want of confidence, is subversive of the principles of the Constitution.

This resolution was carried by 31 to 28 votes. When the House next met the Premier announced that Ministers had advised a dissolution which, as no Appropriation Act covered the period necessary for a General Election, Sir Hercules Robinson had granted, on the condition that the requisite Supply should be first obtained. It has always struck me as almost unaccountable that a man of such clear insight as Sir Hercules Robinson did not see that he was inviting an Assembly, flushed with victory over the Government, to refuse Supply. No Assembly would refuse Supply to a Government with the power of dissolution in its hands, for fear of the use that would be made of it as evidence of obstructing an appeal to the electors, from which members would know they could not escape. But to make it an open condition that members should grant Supply for the express purpose of terminating their parliamentary existence, is simply leaving it to them to say whether they will be dissolved or not dissolved. In this instance, the House very soon said 'No' ! When the Treasurer moved that the House go into Committee of Supply, Mr. Piddington, the Treasurer of the late Administration, moved as an amendment :—

That whilst this House is anxious to proceed with the public business on the formation of an Administration entitled to the confidence of Parliament, it declines to grant supplies to a

defeated Government under circumstances which would in all probability result in two general elections within a short period of time.

Mr. Piddington's amendment was passed by thirty-three to twenty-seven votes. Of course there was no dissolution; and, giving the Governor credit for the highest motives, it seems to me quite clear that it would have been far better if the advice of the retiring Ministers had been unconditionally accepted. The Assembly had become demoralised and distempered, and amidst criminations and recriminations the minds of many well-meaning members had become befogged, and a dissolution was needed to clear the political atmosphere.

I was commissioned to form a new Administration, and the new Ministers entered upon office on March 22. It was the only short-lived Ministry with which I have been connected. It lasted until August 16, or four months and twenty-five days. We had as smooth a time as the toad under the harrow of which we are often told. Leading members of the Opposition would talk for hours on an item of fifty pounds in the Estimates, and insist upon every explanation we offered being more fully explained; and these were the Estimates which our predecessors should have passed long before we accepted office. We did little and had little satisfaction in what we attempted to do. Eventually the management of the Assembly was taken out of our hands by moving and carrying the adjournment against us. Thereupon I too advised a dissolution, and received from Sir Hercules Robinson the reply that he could only deal with us as he had dealt with our predecessors—accept our advice on the condition that we obtained the necessary Supply. My immediate answer was that I must press His Excellency to accept our resignations. So we made way again for Sir John Robertson.

It was during this short Administration that I received through the Governor from the Secretary of State (Lord Carnarvon), the offer of the dignity of a K.C.M.G. I had previously received the offer of the C.M.G., which I had declined, not that I undervalued the distinction, and I was fully aware that educated Englishmen would accept the C.M.G. who would not consent to be made a Knight Bachelor; but, though I count myself a loyal and dutiful subject of Her Majesty, I honestly had no desire to be decorated. When the new offer was made I consulted friends and one or two members of my own family, and the result was that I accepted the honour so graciously bestowed, with the flattering sense that I had won it honourably. The same may be said of my acceptance of the Grand Cross which was conferred upon me by Her Majesty ten years afterwards. I never took any step which could be construed into seeking any mark of my Sovereign's favour, but I hold that residence in a distant colony in no sense impairs the status of the subject, and that he is entitled equally with his fellows at the seat of Empire to any dignity or elevation which the Sovereign may be pleased to extend to him.

A Ministry formed by Sir John Robertson was sworn on August 17; but on September 19, on attempting to suspend the Standing Orders to enable a Consolidated Revenue Bill to pass through all its stages in one day, the Government was defeated by twenty-eight to twenty-seven votes. So again, in little more than a month, advice was tendered for the dissolution of Parliament, and was again met by the Governor with the condition that Supply must be first obtained. The Ministers on this occasion informed His Excellency that they could not accept a dissolution with any condition annexed to it, and tendered their resignations, thirty-four days after their assumption of office. Mr. Alexander Stuart first, and then Mr. S. C. Brown, was asked

to form another Ministry, but, both failing, Sir John Robertson was desired to withdraw his resignation, and an unconditional dissolution was granted.

The elections did not prove favourable to Ministers, and on the opening of the new House on November 28, the following amendment to the Address, moved by Mr. J. S. Farnell, was carried by thirty-three to thirty-one votes :—

We feel bound to express our grave doubts as to the satisfactory conduct of public business until your Excellency can secure the advice of members of this House entitled to its confidence.

Resignation of course followed, and I was requested by Sir Hercules Robinson to form a new Ministry. But there was a feeling among many members of the Assembly in favour of 'new blood,' and, failing to obtain the co-operation of gentlemen whom I considered best qualified to conduct the affairs of the country, I returned my commission. A Ministry was then formed by Mr. Farnell, which entered upon its official life on December 18, and continued to hold office without much interference until December 6 following, when it was defeated by forty-one to twenty-two votes on the second reading of a 'Bill to regulate the Alienation, Occupation, and Administration of the Crown Lands.'

Sir John Robertson was now sent for to form a Ministry, and succeeded so far as to submit his list of names for approval, but, for reasons never fully explained, he suddenly abandoned his task; and at the same time resigned his seat in the Legislative Assembly.

During Mr. Farnell's tenure of office the Opposition consisted virtually of two wings, one led by Sir John Robertson, and one whose political sympathies were with me. But in reality I took but little part in the proceedings of Parliament, and devoted myself more closely than at any other period of my public life to my personal affairs. I had been so sobered by the

waste of public time, and the disasters that must ever arise from weak and distracted Governments, that I was fairly weaned from the political ambition which had stirred me in previous years. It would have been a happy thing for me if I had continued to 'turn a deaf ear to the charmer.' But the Opposition held a meeting and united the two sections, electing me in my absence as their leader. Mr. James Watson (Treasurer in the next Government) was deputed to inform me of the result. I attended the meeting (which was waiting for my answer) with a feeling of reluctance, and after some discussion accepted the position assigned to me. When the House met the same day I gave notice of the following resolution:—

That an Address be presented to the Governor, respectfully informing His Excellency that this House declines to proceed with public business while the present Ministers are allowed to retain office.

My resolution was carried by 30 to 21 votes. The Farnell Ministry at once resigned, and I received His Excellency's commission to form a Government, which was completed the same day, and continued in office from December 21, 1878, until January 4, 1883, and proved to be the longest-lived Ministry of New South Wales.

This Government did a large amount of work both in Parliament and in its executive capacity. My first step, on receiving my commission, was to put myself in communication with Sir John Robertson, and I took this step without consultation with anyone. There was much political agreement between him and me, and we had been separated chiefly by the acerbity of personal feeling and that disposition to attribute wrong motives which grows from men not frankly meeting each other. As his friends in Parliament had joined in nominating me, I felt it would be nothing more than a

graceful act to offer him a place in the Administration. As he had retired from the Assembly, I proposed to recommend his appointment to the Upper Chamber, and submitted for his acceptance the position of Vice-President of the Executive Council without ministerial office. He fell in with this arrangement in an equally cordial spirit, and the following names were submitted to his Excellency the Governor:—

Sir Henry Parkes . . .	Colonial Secretary.
Sir John Robertson . . .	Vice-President of the Executive Council ; Representative of Government in the Legislative Council.
James Watson . . .	Colonial Treasurer.
Francis Bathurst Suttor . . .	Minister of Justice and Public Instruction.
William Charles Windeyer . . .	Attorney-General.
James Hoskins . . .	Secretary for Lands.
John Lackey . . .	Secretary for Public Works.
Saul Samuel . . .	Postmaster-General.
Ezekiel Alexander Baker . . .	Secretary for Mines.

The Parliamentary achievements of the last four years had been very slender and unsatisfactory. There had been four changes of Ministry and two dissolutions. Perhaps the most serious consequence of frequent political changes is the displacement of experienced and the introduction of inexperienced men. In such commonplace commotions, so distasteful to men of culture and strength, the material for feeble and short-sighted Ministers rises to the surface, and, what is worse, a feeling of disgust restrains able men whose time is of value from offering their services to the country. This directly leads to frivolous discussion and foolish attempts to strain the forms of Parliamentary usage, often for no better object than to enable members to indulge in some petty personal spite. If majorities give the boon of life to a Ministry, it is impossible for the Ministry at such times not to absorb some of the

impurities from a source so disturbed or distempered. These remarks are intended to apply to Parliamentary government in old countries; but the evil is of aggravated form in new communities, where nearly all men come to the business of legislation and government from occupations not at all calculated to fit them for the performance of the grave duties to which they have been elected. Of all public afflictions to which a free people may be subjected, a weak Government is by no means the most endurable. It is so occupied day by day in trying to find and retain props as a substitution for inherent stability, and its steps are so beclouded by uncertainty of vision, that it has no clear-sighted strength for the proper work of Government. Precedent tyrannically controls its flabby energies, and when it is brought face to face with difficulty it is barren of all resource. It was after a protracted season of political misfortune that my third Administration began its existence.

CHAPTER XIV

ANOTHER BATTLE FOR NATIONAL EDUCATION—THE EXTREME ZEALOTS AND THEIR MISCHIEVOUS ACTIVITY—ARCHBISHOP VAUGHAN AND THE CHURCH OF ROME—THE NEW MEASURE PASSED BY BOTH HOUSES TRIUMPHANTLY—THE SUCCESSFUL RESULTS OF THE PUBLIC SCHOOL SYSTEM.

EARLY in the life of my third Administration, the question of Public Instruction, after an experience of the working of the Act of 1866 extending over fourteen years, was again brought before Parliament. During those fourteen years several attempts had been made to alter the law, but all of them in the direction of making the education under it more secular and more directly a duty and function of the State. The course I pursued in Parliament in reference to these various

motions exposed me to much misrepresentation, possibly to some honest misconception, as to my motives. I believed the compromise of 1866 was politic and wise, and was working with satisfactory results; and I contended that it could not be disturbed until it had had a fair trial, without the risk of injury to the many interests which must be affected by any change. In 1873 I defeated a resolution moved by Mr. William Forster, the object of which was to secularise the school system, by an amendment, approving of the operation of the Act, and declaring that any interference at the present time would be impolitic and prejudicial. Another motion of similar import was made in 1877 by Mr. David Buchanan. This I opposed by voice and vote, on the ground put forward on the former occasion, that it would be unwise to disturb the law as it stood. Other attempts of the same character were made, which I steadily resisted. The view I took of the state of the question, especially considered on grounds of policy, was that the mixed system was working well, and was withdrawn by the administration of the Council of Education from all political influence; that the larger denominational schools were doing good service in their kindred sphere in connection with the public schools, apart from and above their religious teaching; and that in any case it was premature to break in upon the system which was regarded with such widespread acceptance by the people.

One possible evil was never absent from my mind in contemplating the future growth of our school system—that those who were taught and religiously coerced by their spiritual guides to withhold their children from participating in its advantages, would gradually create for themselves a standing grievance, and by brooding over their self-imposed hardships, work themselves into a morbid belief that they were an oppressed class. True as it indisputably is, that the non-sectarian

schools under the Act of 1866 were all, as they all are still under the law of to-day, open to the children of every creed alike, without the slightest ground for fear that the faith of any child would be tampered with, that acknowledged condition of equality and non-sectarianism does not diminish the lust of the priestly mind for authority over the parents through the training of the children. The religion of Christ suffers the little children to come to the schools, but the denominational fetish of the ecclesiastics forbids it.

In my speeches in opposition to the empirical efforts of extremists to amend the Act of 1866, I foretold that whenever they began to unsettle, others, with far different ends in view, would join in the work of unsettling. And it was evident, from many circumstances of the hour, that those who were most hostile to the Act on the ground of its non-sectarian character rejoiced in secret at the assaults made upon it by the extreme secularists. In the opposite direction, the fanatical secularists, while professing to condemn, could not conceal their delight at the flame kindled by the denominationalists, as tending to promote public dissatisfaction.

One of the spasmodic motions to which I have referred was made on June 18, 1875, by Mr. George Richard Dibbs, in the following words: 'That in the opinion of this House, a Bill for the amendment of the Public Schools Act of 1866 should be introduced, and that such Bill, among other matters, should provide for the discontinuance, upon reasonable notice, after a certain period to be fixed by law, of assistance from public funds for denominational schools.'

I spoke in opposition to this motion, pointing out in some detail the eminent success which had attended the operation of the Act during the nine years up to that date, and dwelling upon the advisability and sound policy of avoiding serious conflicts of religious

feeling or the aggravation of any sense of injustice, however misconceived we might deem it. The following are passages from my speech, which I give because they supply the principal text on which the charges of inconsistency and denominationalism have been made against me by the extreme secularists :—

I now come to a very difficult part of the subject, and a very delicate one—I mean the attitude of the Roman Catholic Church in relation to this subject of public instruction. My views upon this matter are well known, and I have no occasion in any way to modify those views. I am bound, however, to recognise the fact that a large body of men and women in this country, numbering one-third of the whole population, are members of the Roman Catholic Church. Whatever their views may be, they are subjects of Her Majesty in the same political sense as are the rest of the population; they live under the same laws as we live under; they pay their share of the same taxes; they bear their equal part of the public burdens; and they are bound by the same obligations as their fellow-citizens. Well, it is said that the Roman Catholic body, as a matter of conscience, will not send their children to schools where they will not be instructed as Roman Catholics. On the other hand, it is said that the State will provide public schools for them where denominational instruction is shut out, and that, if they do not like to send their children to those schools, it will be their own fault. That is a fair representation of what seems to be required by the Roman Catholics on the one hand, and of the arguments of the Secularists on the other. But these purely secular schools will be paid for out of the public revenue, and the Roman Catholics will be required to contribute as much to the revenue as those who make use of the schools. Most persons in this country are sufficiently well off to make sacrifices when their consciences are inflamed with zeal for the maintenance of their principles, and the Roman Catholics here will do as the Roman Catholics in Victoria are doing—turn their backs upon your newly-organised public schools, and provide separate schools for themselves. While the Roman Catholics support their own schools, they will at the same time be compelled to pay towards the support of the schools you set up for the other classes of the population, and to which they

refuse to send their children. Call it what you will, this will be felt as nothing short of oppression. I believe that the persons who are united in this crusade, if it may be dignified by that name, form two broad sections—those who are opposed to religion altogether, and those whose sectarian views have been heated to such a degree that they want to force all others to their own standards of belief. I will take the Orange point of view, which supposes that Roman Catholics are a kind of creatures who ought to be swallowed up, having been first grilled by a sufficient heat of public agitation. The Orangeman looks upon the Roman Catholic religion as a great evil in the world; but, by the course you propose, you will bring up in these separate schools the very extreme types of the Roman Catholic. You will have the Catholics of the next generation learning to hate all other classes, and cherishing a spirit of hostility against society, springing from a keenly-felt, though, perhaps, a magnified, grievance, having to pay for the education of other people's children at the same time that they bear the entire burden of paying for their own. Instead of the spread of enlightenment and the reconciliation of classes, bringing all into one bond of union, we shall be erecting an iron wall to keep classes apart, and we shall have Catholics of that extreme political and party type which has never yet been seen in this colony. The grievance, once rooted in the minds of the Roman Catholic body, will find advocates for redress in quarters least expected. Men of education and of large sympathy in all parties will side with those who suffer injury; and in the course of time we shall have a reform of this state of things which will be a violent rebound, working out results entirely opposite to those which in your blindness you are aiming at. The thing itself is essentially unjust. So long as we appropriate the revenues of the country for the purposes of education, we have no right to apply them in a way that will exclude a large proportion of the population from the benefits of the expenditure. I admit that if a case of necessity could be proved, then we might be justified. But the necessity cannot be proved. The system of education in this country is so sound, so comprehensive, that it includes all classes, and in consequence there is no necessity for creating these serious heart-burnings in one portion of the population.

In this language I endeavoured to put myself in the

place of the objectors, and at the same time I had in view the hard secular character of the schools sought to be created by the fierce advocates of the 'secular, compulsory, and free.' I put myself right in this respect in the following brief sentence: 'I certainly do not go the length of anything like unqualified sympathy with the special objects of the body represented by the honourable member for West Sydney (Mr. Dibbs), and I certainly have no sympathy with the maintenance in this country of purely denominational schools.' I urged that it was the wisest course in the interest of all classes and sects to continue the system which embodied the compromise of 1866, and concluded as follows:—

I believe that on this question especially we ought, as far as we can, to respect the convictions and associations, and even the prejudices, and what we may regard as the unsound opinions of all persons; and unless the necessity for a contrary course can be proved beyond doubt, we shall be acting most wisely and safely by maintaining a system which all, more or less cordially, can accept and support. It would be a wiser policy and a higher patriotism on the part of honourable gentlemen to endeavour to improve the administration of the law instead of tinkering with its machinery—to try to extend the blessings which are practically in our hands to a wider area, instead of seeking new and untried means for their dispensation. This might be done in many ways. It might be done by introducing improved books; by instituting adult schools and night schools; by establishing school libraries, and various means by which instruction could be imparted more generally, and instruction of a higher class given without any detriment to anyone, or any objection from any quarter. It would be infinitely wiser to use the machinery already in existence, and extend the advantages of education more generally, than, for the sake of some theoretical aim, to agitate for changes which will involve great cost and produce no higher educational results. In addressing these observations to the House I have done so in the sincere belief that the wise course is to go on in the more active administration of the present law—improving the means of instruction as much as possible, extending the schools to every part of the country where they are required, raising the character of the teachers

by every means in our power; and by taking this course we may hope to attain results which will be equal to those of any country, and we may fairly expect to carry with us the confidence and support of nearly all classes of the population.

Mr. Dibbs's motion, after several attempts at adjournment, was negatived by twenty-four to ten, inclusive of three pairs. The system was destined to be changed in consequence of assaults from a very different quarter. Mr. Dibbs himself lost his seat at the General Election which soon followed his motion, and he did not return to the House until 1883, when the work of educational reform had been accomplished.

My speech was published in separate form by some persons who approved of it, and widely circulated. A copy of it was sent to the Governor of Queensland (Mr. Cairns), which led to the following correspondence. My letter to Governor Cairns still further explains my views on the subject of primary education under the control of Government.

Government House, Brisbane, August 16, 1875.

My dear Sir,—I have read with very great interest, and with profit, your speech on the Education question, of which you were kind enough to send me a copy.

This very question is exercising the public mind here, at the moment of my writing, yet I doubt if it can be satisfactorily settled at the present time. Some of us are not quite in earnest, and some others appear not to know their own minds, are wanting in what the French call *idées arrêtées* on the subject.

Believe me, yours sincerely,
W. W. CAIRNS.

Henry Parkes, Esq., &c. &c.

Ashfield, near Sydney, August 23, 1875.

My dear Sir,—I thank you for your note of the 16th, and am gratified by the evidence it affords of the interest you take in the question of education as now agitated in these colonies.

The danger to a wise settlement of the matter in any case

seems to me to consist in the off-hand treatment which it receives from persons who have thought little on the subject and whose vision is too often limited by the political exigencies of the moment. A system of popular education is not like a steam-engine, which, if well constructed and well tended, will necessarily do its work well. Its action on the mind is rather like that of the atmosphere on human life, which acts very differently on different organisations and may be easily vitiated by latent and undetected influences. That system will prove to be the best which supplies instruction of the highest quality, and is most freely accepted by the whole people.

Strictly, it would be difficult to prove that it belongs to Government to take charge of the education of the people. The argument of Lord Macaulay for the interference of Government is perhaps the soundest, that the power which has the right to hang has the right to educate, but it is by no means conclusive, because education does not of itself remove the necessity for hanging. If Government is justified in interfering on the ground that it is expedient to supply in the best manner the means of education of the best quality, it is bound to keep those objects steadily in view, and they can be best effected by conforming as nearly as possible to the circumstances and conditions of family life.

The system most perfect to the theorist may not be the most healthful in developing the human faculties. It will be the less so the more it dispenses with parental authority or weakens the sense of parental responsibility. What ought to be aimed at is rearing the best type of men and women for the duties of a well-ordered State.

I hope you will pardon these general observations on what is a work of much greater difficulty, even under the free constitutions of Australian life, than some of my contemporary legislators appear to think. In this colony we have, in my judgment, hitherto been fortunate, both in hitting upon a system of education which is attended by sound results and is generally acceptable, and in securing the services of able men for its administration.

I take the liberty of sending you the Act and Regulations, and also a copy of the last report of the Council of Education.

I remain, my dear Sir,

Yours very truly,

His Excellency Governor Cairns, &c. &c.

HENRY PARKES.

Four years later, in June 1879, the Archbishop and Bishops of the Roman Catholic Church, without provocation and in the face of the support which had been given to their State-aided schools, published a joint pastoral letter in which they furiously attacked the public schools of the colony as sources of a 'godless education' and as 'seedplots of future immorality, infidelity, and lawlessness.' The clergy were urged to stir up their people to the deadliest hostility against the schools. 'They were to 'bring before the minds of parents the terrible calamity to their children in exposing them to loss of faith and morals, and endeavour to make them feel that they could not do a greater service to religion or to the State than to upset, by constitutional means, a system which, whilst it is a crying injustice to themselves, promises to be a source of incalculable evil to the colony.' The pastoral embodied a sweeping condemnation of State education from Pope Pius IX., and concluded with this appeal: 'Let Catholics rouse themselves up to a sense of their responsibilities; let them bring legitimate pressure to bear in the right quarter; and never cease in their persevering—their organised importunity, until they have obtained those rights which no man can refuse them without self-evident injustice.'

There can be little doubt that Archbishop Vaughan had by his overwrought zeal so brought home to his mind the evil consequences of our public school teaching, that he calculated upon awakening the sleepy thousands of discontented parents all around him. His people were enjoined to use 'constitutional' means, and to bring 'legitimate' pressure to bear in the right quarter, but these words of restraint were scarcely consistent with his stormy call to arms. And, unfortunately for his impassioned argument in favour of denominational teaching, we had the results of the two systems side by side in the records of those institutions

which are the ugly outgrowths of the vicious dispositions in all communities. I had myself a few years earlier accompanied the Governor of the time, the Earl of Belmore, on a visit to Merrima Gaol—a prison about eighty miles from Sydney—where long-sentenced prisoners are chiefly confined, and the severest treatment carried out. The Roman Catholic chaplain came to me in the presence of the Governor to complain that his salary was not equal to that of the Church of England chaplain. If my recollection serves me aright, there was a difference of about one-third in amount. I told Father Lynch that the matter had never been considered by me; that the salaries stood as I found them on entering upon office; but that I supposed the difference arose from the Anglican chaplain being the representative of the more numerous body. ‘How can that be?’ was the reply; ‘I have a much larger number of my people here than he has.’ I do not care to disfigure these pages with the official returns, but they fully substantiate the truth of the answer to me so unwillingly made by Father Lynch. If anybody complains of this reference, let it be remembered that the Roman Catholic prelates plunged into the conflict in 1879 by denouncing our public schools as ‘seedplots of future immorality, infidelity, and lawlessness.’

The Archbishop followed up the Joint Pastoral with a series of letters of his own, commencing August 10, and concluding October 12, 1879. The first ended with the following appeal to Catholics to act with unity of purpose, zeal, and self-sacrifice.

Whilst the world becomes infidel around her, the Church will remain firm. Left to herself, to her own resources, the deep faith, the devoted generosity of her people, become the instruments of her power, and the secret, as in America, of her success. If her prelates fearlessly preach the Gospel in all its fulness; if they warn and direct their children, unbiassed by what the world may say, she cannot but succeed, she *must*

advance, and will subdue her enemies by her courage, her truthfulness, and, above all, by her gentleness and charity towards them. With Archbishop, Bishops, Priests, and People united on the great question of Education, she will, though it may take some years, finally obtain what she asks for, and her children will not be kept under a disability for being Catholics.

The second letter opened with the following paragraph :—

Though the Catholic Church is by far the most formidable opponent of the great apostasy, still she is not its sole opponent. Her foes themselves, if they possess any sound heart of Christianity, are compelled, in self-preservation, to set themselves against it. Nor does it follow from their being at one in this, that they are mutual friends; because two men, for their own private reasons, hate a third man, that does not even tend to prove that they love each other. Those who profess the Catholic Faith, and those who protest against that faith, can, for causes known to themselves, and those causes may be radically different, strike out against one and the same antagonist. Thus, the Catholic Church and the English nation, whilst conflicting with each other, are compelled, by force of principle, to resist the advances of the great apostasy.

And it thus concluded :—

Dearly Beloved, we have the strongest faith in the sense of fair play in the minds of our fellow-colonists. We are convinced that, when they really grasp our case, they will be ready to give us all we ask. We merely beseech those concerned so to arrange that a large section of the community, the Roman Catholics, some say one-third of the population, may give their children a thorough, honest Catholic education, and receive for secular instruction, tested by Government inspectors, equal assistance with those who are satisfied with public schools.

In his third and fourth letters, the Archbishop expended much ingenuity in employing statistical arguments to prove, that in America, and in those countries of Europe where National Education had advanced with most rapid strides, the principle had in reality most lamentably failed in producing good results. In

his fifth and final letter, he consoled himself with the following expression of his belief, that the merits of his cause would bring over to him good and patriotic men from all other Churches, who would enthusiastically join him in securing to him and his fellow-religionists a full share of the public revenue on their own terms.

True, the nation by its representatives has for the moment adopted the present system; but a system is not necessarily national because the nation has adopted it. Otherwise, even the most sectarian system, provided one nation had adopted it, would be equally national with one eminently the reverse, which had been adopted by another nation. No! National means embracing fairly and equitably all the units of which the nation is composed, and punishing none, making 'political slaves' of none on account of their conscientious religious principles.

Things may be worse before they are better; but the day will come when justice and fair play will triumph in this land: when great bodies of Christians, who now seem half-asleep, will bestir themselves, and when the nation will reject this wretched Sectionalism and give happiness and peace to every honest man by adopting in its place a genuine system of National Education.

Of course others followed the Archbishop's lead; some of the more pronounced zealots in the Church of England enlisted under his banner, and newspaper scribes were not wanting with their belligerent trumpeting.

Mr. A. Stuart, afterwards Sir Alexander Stuart, K.C.M.G., in the Synod of the Church of England declared: 'I am not ashamed to be at one with the Church of Rome in this matter; we have the same civil rights, and we cannot help being side by side with our Roman Catholic fellow-citizens in demanding a continuance of those rights.' But Mr. Stuart, soon afterwards, was 'not ashamed' to suppress his fierce denomination-alism when it was found to stand in the way of his political purposes.

But the most signal effect of the Archbishop's bravery was the springing up of armed men in his path. In answer to his trumpet-call came the uplifted

arm and the impending blow. 'What does it all mean?' was on men's lips; 'what does the Archbishop want more than his Denominational Schools under the present system?' Public gatherings, crammed to the door long before the hour of meeting, with many hundreds outside, orators with their strokes of eloquence at white heat, the indignation of journalism contagious throughout the land. What the Secularists had failed to do by their many motions, the Archbishop and his associate bishops contrived to do by one blind move.

I had not long returned to office, and my hands were full in many ways; but I felt that the time was come when the field, in which I had laboured and patiently watched for fourteen years, must be re-surveyed. I felt in common with tens of thousands of my fellow-colonists that a wanton and libellous attack had been made upon our schools. The situation under these new circumstances was brought before my colleagues in Cabinet, and after much consultation it was decided to introduce a Bill to repeal the Act of 1866, to establish a Department of Public Instruction in place of the Council of Education, to withdraw all Government aid from schools not under the absolute control of the Government, and to carry out reforms and improvements in the School system which had been proved to be advisable and necessary.

The new Bill was brought in on November 5, 1879, and, on account of its great importance, I copy my explanation of its principal provisions when moving in Committee of the whole House for leave to introduce it:—

'Sir Henry Parkes moved that the committee agree to the following resolution:

That it is expedient to bring in a Bill to make more adequate provision for public education.

He said: I shall not trespass beyond my duty in simply stating the main provisions of this Bill, and I shall

scrupulously avoid any matter of argument, for it appears to me undesirable that any discussion should take place at this stage. The Bill I ask leave to bring in will repeal the Public Schools Act of 1866. It will not create any council or board in place of the existing Council of Education, but it will transfer the whole of the powers connected with the administration of the grants voted by Parliament for public education to the Responsible Minister. So far as the Bill will make new provisions to supply the wants of education, it will provide for the immediate establishment of grammar schools in three of the principal towns, with provision for the extension of this higher means of education to other districts on proclamation. It will also provide for the establishment of one or more higher schools for girls, to be extended as the circumstances of the population may warrant. It will also provide for the establishment of night schools—in such places as circumstances seem to point out as requiring them—to be conducted entirely under the same provisions as are now applied to public schools. These are the principal directions in which I ask the House to assent to new legislation for creating new means of education. With regard to public schools, the Bill proposes to reduce the minimum from twenty-five to twenty, so that wherever twenty children are found in regular attendance a fully organised public school may be established. The Bill proposes in connection with all school buildings where there is a regular attendance of fifty children, to erect a class-room suitable for the clergy or other persons to give separate religious instruction; and it proposes to provide that in every district the arrangements for this religious instruction, separate from the school, shall be left to private agreement between the teacher and the clergyman, or other duly appointed religious teacher in the district. Much inconvenience has been found from the circumstance that the law fixes one particular

hour in the day for religious instruction ; and to obviate that difficulty it is proposed that, subject to such agreement as may be entered into between the person in charge of the school and the clergyman of the district, any hour of the school day may be selected for that purpose. Provision will be made for the children of one denomination being separated from another denomination, and for their being taught by their own religious teacher for one hour at such time as may be arranged between the teacher and the clergyman. But the Bill will provide that parents may restrict their children from attending this religious teaching whenever they think proper to do so. The Bill itself will enact that a History of England and a History of Australia shall form part of the course of secular instruction in every school. There will be a provision giving to the Government the power to compel the attendance of children, but this provision will only be applied to proclaimed districts, so that it may be applied to one district where it is found necessary, and not to another, where it may be inapplicable. In other words, it may be gradually applied, as circumstances warrant, to the whole colony, and thus the machinery which would be necessary for the sudden application of the principle throughout the whole colony will not be required, but much more workable and economical machinery will be employed for the purpose. It is not intended to make education free, but it is proposed to take a step which will, it is believed, fully satisfy every person in the country. It is proposed to reduce the fee to a uniform rate of 3*d.* for each child up to four children, and for four or any larger number not to require a higher amount than 1*s.* from the same parent. It is thought that this very low rate can be paid by everybody, and, while it will enlist the sympathy and interest of the parents of the country with the school system, it will at the same time produce a considerable amount of revenue—calculated at not

less than 30,000*l*. The Bill will provide that from and after a date fixed by law all aid from the Consolidated Revenue shall be withdrawn from denominational schools. It will also propose to enact that any denomination may surrender its school before that date, and that, if the building be suitable for the purpose, the Government shall take it over and convert it into a public school. These are the main provisions of the Bill which I ask leave to introduce.'

A debate ensued on the motion for leave to introduce the Bill, and some strong sentiments in opposition were expressed, but no division was called for. I moved that the Bill be read the second time on November 20. After recapitulating the leading facts of my own course of action in relation to the cause from the year 1854, when I entered the Legislature, I referred to the motions which had been made time after time in the Legislative Assembly by the advocates of a more exclusively secular system, and I thus spoke of the latest of these motions :—

Another motion was made as late as last year by the honourable member for East Sydney (Mr. Greenwood), than whom, I admit, no member has a greater right to propose any motion on this subject of public instruction. Again I stepped in to defend the existing compromise, and moved then as an amendment that a committee be appointed to enquire into the working of the law. That motion was got rid of by some means which I do not now exactly remember. Throughout all these years, whenever any attack was made from a secular point of view by those who based their arguments upon their objections to denominational schools, I have defended those schools—that is, as they were recognised by the Public Schools Act. Well, it cannot be denied, and the facts I have adduced from the records of Parliament are sufficient to prove, that attempts have been repeatedly made for an amendment of this law; but they have, as far as my recollection serves, been made in nearly every instance in the direction of more secular modes of instruction. Whenever, up to the present time, these attacks have been made, I have felt it my duty to defend the existing law.

I then gave the following explanation of the results up to that date, and dwelt briefly on the causes which had led to so decided a change in the policy of the Government:—

I find that on January 1, 1867, when the Act came into operation, the number of National Schools which were taken over from the old Board, and which then became Public Schools as a commencement of our present system, was 159. The number of Public Schools to-day is 671, showing an increase of 512. Many of these are schools of considerable dimensions, carried on in well-erected and well-ventilated buildings, and all, I believe, are conducted by trained teachers. What has been the result of the operation of this Act in regard to denominational schools? The denominational schools to which certificates were issued by the new Council in 1867 numbered 310; the denominational schools to-day, holding certificates from the Council of Education, are 156, showing a reduction of 154 during that period. Besides these results, there are in existence to-day 300 provisional schools and 102 half-time schools. I have a return from the secretary to the Council of Education showing what these various schools are doing at the present time. The 671 Public Schools have on their rolls 62,546 children, with an average daily attendance of 40,370. The provisional schools, 300 in number, have on their rolls 7,629 children, and have an average attendance of 5,195. The half-time schools, 102 in number, have on their rolls 1,672 children, with an average attendance of 1,159. The 156 denominational schools have on their rolls 22,487 children, with an average attendance of 14,258. The entire schools under the Council of Education number 1,229; they have on their rolls 94,334 children, with an average attendance of 61,002. I may repeat what I have said at different times, that the progress made is a fair evidence of the success of the system, and of the magnificent work it is doing in all parts of the country. We have trained teachers; and let honourable members recollect that before the year 1866 there were in the country no trained teachers deserving the name; that certainly in the denominational schools prior to 1867, when the Act came into operation, in the schools where the money was absolutely expended under the supervision of the clergymen, so far from trained teachers being employed, the selection of a teacher was in numerous instances made for no

better purpose than to serve some most unqualified person who wanted assistance. Although there was a kind of training under the old Board of Education, still it was not anything like so good as that we have at the present time. The Council of Education has created in this country an army—for I may well call it an army—of 1,879 trained teachers. This certainly represents an instrumentality for good which defies calculation, and which it is altogether beyond our power to imagine in its far-reaching, beneficent results. What new causes have come into operation to disturb this satisfactory state of things? Up to a given point, only a few months ago, the only persons who made any attack upon this school system were the persons who on theoretical grounds wanted schools which were more secular. But the most unqualified assault has now been made by the very men for whom this compromise was made. Whatever I may have done up to the time which I have pointed out, it is impossible for me now—utterly impossible for anyone holding my views, and with my deep convictions on the general question—to stand still and see this wise, beneficent, and freely-accepted system of public education attacked as being a nursery of criminality and iniquity in the land.

I drew the attention of Parliament to the continued course of hostility pursued by Archbishop Vaughan, as head of the Roman Catholic community, and concluded by recommending the Bill to the acceptance of the House and the country, as a measure carefully framed to meet the demands of the time.

I have submitted this Bill in the full belief that it is a measure carefully framed and calculated to meet the wants of the community; that it is sufficiently secular in its practical operation to meet the demands of the strongest advocate for secular education at the hands of the State; that, while it is of that character, it has the additional advantage of not raising or provoking any hostility between the State system of schools and the churches of the country, but rather invites and offers facilities for the clergy and other religious teachers to assist in the full education of our youth. It is a measure, we think, which embodies in the fullest and most unimpeded way the principles of freedom and equality which are embodied in the institutions

of this country. It proposes to establish a splendid system of instruction for the young; splendid in its provisions for securing men and women as teachers who shall be instructed how to teach; splendid in its provisions for securing the soundest primary education obtainable; splendid in throwing open the doors of our schools to all children of all sects, making no distinction of faith, asking no question where the child has been born, what may be his condition of life, or what the position of his parents, but inviting all to sit side by side in receiving that primary instruction which must be the foundation of all education whatever. We think this Bill may be fairly accepted by all—by every class, by every sect. It does not matter whether the child belongs to an Irish, a Scotch, an English, or an Australian family. What is aimed at is that he should be considered as belonging to a family forming part of the population of this free and fair country;—that we should secure to him the means of instruction upon the basis from which his friends, according to their opportunities and circumstances, may carry out any degree of education they think proper. We think another advantage in this Bill is that it is not a Bill for the poor alone. It is not a Bill conceived in any sense of helping only those who cannot help themselves; but it is a Bill framed and intended to bring into existence a system of education for all the children of all classes; so that the child of the poor and the child of the rich may sit side by side in their tender years, when they receive the first rudiments of instruction, and when there is no occasion for any sectarian distinction. We think this Bill may be received, and ought to be received, by our Roman Catholic fellow-citizens. Surely the Catholic religion, with all its sacraments, does not depend upon some particular form being taught; and surely it cannot be a thing, the teaching of which renders it necessary to separate the Catholic children from the other children of the country. They must mix in after years, and be associated with each other in all the duties of everyday life. Let them be workers, traders, men of competent means; let them go wherever they may, into whatever groove of society circumstances may direct them—they must mix with persons entertaining other opinions. And I venture to say that they ought so to mix; that they ought to unite in promoting the general interests of their own country in preference to any other consideration whatever. Let us be of whatever faith we may, born on whatever soil we may, reared under whatever associations we may,

let us still remember that we are above everything else free citizens of a free commonwealth.

The debate was extended over several nights, and, though strongly opposed by some, the Bill received warm support from a large majority. The House divided on December 4, when the second reading was carried by forty-nine to nine. Eight of the nine members who voted against the second reading were Roman Catholics. In the meantime the Archbishop and his clerical friends were carrying on a violent crusade against the Bill out of doors. To a public meeting in Balmain Dr. Vaughan delivered an inflammatory speech from which the following are extracts. The Christian spirit exhibited in these bursts of eloquence needs no comment :—

What did we suffer as slaves and helots for at home? Because we preferred torture and death to acting against our conscience, and to be butchered and disembowelled rather than allow those for whom we were responsible to be tampered with in their faith. We hoped that we had escaped from all forms of tyranny and persecution by coming so far away—where we were told that all were equal and all were free. But all this seems to be a vain illusion, a dream, from which we are to be aroused by about the most ingeniously devised piece of scientific persecution that has been invented in modern times. The end of the more brutal form of persecution, and of the more cultivated, is one—it is to destroy our holy religion. I believe the scientific method is more effective, and, I believe, more odious than the more expeditious way of tearing out the heart and bowels of a living and grown man.

The gifted prelate then proceeded to draw a terrifying picture of the ‘Scavenger’s Daughter,’ who was called forth from the lurid past to do duty as a type of the Public Schools. Regardless of the memory of the Smithfield fires, and the fact

That saints have burnt each other, quite persuaded
That all the Apostles would have done as they did,

thus he spoke :—

Do you know that in the days of trial they had a special instrument for squeezing the life and blood out of those Catholics who declined to deny their God ? It was a kind of press, with a screw at the top. The Catholic man or woman was shoved into the press, just large enough to hold one ; the top was forced down with the screw until it touched the head and back of the victim. Then the real operation began. By a slow, almost imperceptible process, the top was continually pushed further and further down, till the victim first lost breath, then the frame gradually gave way, and the whole body collapsed into a mangled bleeding mass.

And the great Christian leader added :—

I call those schools ‘ Scavenger’s Daughters ’ because they are the most effective instruments invented by man for squeezing very gradually and almost imperceptibly the Catholic faith out of a Catholic people.

That was the spirit in which the Bill was opposed by powerful and accomplished dignitaries of the Church. But the attempt to manufacture public indignation utterly failed ; the bluster only assisted to swell the triumph of the cause with both Parliament and people.

The Bill was debated at great length in committee and hostile amendments were moved, some under the guise of improving its provisions ; but it was reported to the House without any material alteration. On February 25, 1880, it was read a third time by 42 to 6, the minority being all Roman Catholics. We have now to follow its fortunes in the Legislative Council.

Sir John Robertson, who held the position of Vice-President of the Executive Council, moved the second reading of the Bill in the Upper Chamber on March 10, in a lengthy speech, which took a retrospective view of the various stages by which the colony had arrived at the present epoch in education, and gave forcible reasons in support of the measure and in vindication of the action of the Government. An animated de-

bate followed, and again in committee the Bill was fully discussed, and several amendments were made not inconsistent with its objects. But both the second and third readings were carried without a dissentient voice. On the return of the Bill to the Assembly, the Council's amendments were agreed to, and the Royal assent to the Bill was reported on April 21.

The reader unacquainted with New South Wales will observe that there have been two principal Education Statutes in the colony during the last twenty-six years, the Act of 1866 and the Act of 1880, and that it so happened that I was the Minister in each case with whom the measure originated, and who conducted it through the Legislative Assembly. As I have had to sustain my full share of public labour, and have had to face something more than my share of rancorous abuse in this cause, I may be pardoned in the expression of my gratification and pride in the result of the school-work of this last quarter of a century. At the beginning of 1892 I obtained from the Department of Public Instruction in Sydney a statement of the progress of the Public School system with special reference to this period. I give this statement in full as an Appendix; but I copy from it here such figures as will exhibit the magnitude of the work accomplished and the munificence of the Legislature in the ample provision which has been made year by year for that work.

In the year 1867, when the Council of Education under the Public Schools Act of the previous year took over the schools of the colony, the population was 444,709, the number of State-aided schools was 642, the number of teachers 971, the enrolment of pupils 57,000, the public expenditure 100,610*l.* for that year. In 1880, when the Public Instruction Act was passed (to which this chapter is specially devoted), the population was 747,950, the number of schools 1,265, the number of teachers 2,300, the enrolment of pupils 101,534, the

public expenditure 381,797*l.* for the current year. At the close of the next decade, in 1890, the population was 1,121,860, the number of schools 2,630, the number of teachers 4,181, the enrolment of pupils 195,241, the public expenditure for the year 704,260*l.* There are now in existence sixty-four Superior Public Schools and five High Schools for the promotion of Secondary Education in connection with the scheme of primary instruction, and arrangements are made to assist children of poor parents to reach the University. The training schools for teachers are in a highly organised condition, and are connected with the University; 6,000 of the pupils are enrolled as cadets in the Volunteer force.

Much might be said, but it does not appear to me to come within the scope of these chapters to say it, on the work which has been done by the Department of Public Instruction in promoting the application of science to industrial pursuits, and the spread of technical education. At the present time a Technical College with extensive, well-arranged, and well-appointed workshops is in the course of completion at a cost of nearly 100,000*l.* But I feel that I am confined to the progress of the primary schools.

In judging of the moral results of the Public Schools, the racial elements of the population must be kept in view. Of course a very large body of young men and women trained in these schools are now occupying the various avenues of social activity. In 1881 no fewer than 61·95 per cent. were born in the colony, while only 5·95 were born in the other colonies. While this was the case in respect to Australasia, there were only 14·32 of British birth, only 9·21 of Irish, and only 3·34 of Scotch. The criminal statistics do not afford a very satisfactory criterion, but at least they do not confirm Archbishop Vaughan's terrible prophecies of immorality and crime. In 1880 the arrests by the police were 4·8

per cent. of the total population ; in 1890 they were 3·4 per cent. It is more satisfactory to note the positions in which men are found who have been educated in the Public Schools. We find them at the head of large business firms, in the management of important joint-stock companies, in charge of cattle and sheep stations, in confidential posts in the public service, honourably engaged in the administration of justice, at the head of large schools, in the pulpit, in the Legislature, and in happy thousands at the head of families.

It is a matter of deep regret in the true interests of society, that the ecclesiastics of the Roman Catholic Church have used all their influence to compel parents to withhold their children from the Public Schools, and to tax themselves to support Separate schools under the control of the Church. But even here the Public School system has had a healthy power in compelling the schools of the Church to keep alive a vigorous rivalry with the schools of the State. They would utterly fail in getting pupils, if they still adhered to the old irresponsible denominational system, or no-system, when the priest appointed his worn-out servant to the office of teacher. The cultured ladies of religious sisterhoods and the enthusiasts of religious brotherhoods have been enlisted into the service of the Separate schools, and it may be acknowledged with pleasure that in many cases they are excellent teachers.

By the Act of 1880, which is still the law of the colony, all persons—inspectors, teachers, and others—employed in the Public School service are made civil servants of the Crown, and all properties are held by the Crown in trust for the maintenance of the several classes of schools existing under the law's provisions. The Act provides for the establishment and maintenance of several classes of schools, thus defined :—

(1) Public Schools in which the main object shall be to

afford the best primary education to all children without sectarian or class distinction.

(2) Superior Public Schools in towns and populous districts, in which additional lessons in the higher branches of education may be given under such regulations for the purpose as may be approved by the Governor.

(3) Evening Public Schools, in which the object shall be to instruct persons who may not have received the advantages of primary education.

(4) High Schools for boys in which the course of instruction shall be of such a character as to complete the Public School curriculum or to prepare students for the University.

(5) High Schools for girls.

It is provided that the teaching shall be strictly non-sectarian, and the words 'secular instruction' are defined to include general religious teaching as distinguished from dogmatical or polemical theology; and lessons in English and Australian history are included in the school course. As a matter of principle, small weekly fees are prescribed, it having been contended on the passing of the Act that this slight payment would serve to keep up the parents' responsibility in the instruction of the child; but the fees 'shall not exceed threepence for each child up to four children of one family, and for four or any larger number of the same family the total amount of fees shall not exceed one shilling.' The total amount of school fees for the year 1890, collected and paid into the Treasury, was 71,826*l*. The thirteenth clause provides that parents or guardians may be relieved of these payments where inability to pay is clearly shown.

In order to preserve the health of the pupils the apportionment of space inside the school buildings must not be less than one hundred cubic feet for each child, and in the allotment of time for teaching, 'a portion of each day, not more than one hour, is set apart when the children of any one religious persuasion may be instructed by the clergyman or other religious teacher

of such persuasion.' But all pupils receiving such religious teaching must be separated from the other pupils during that time. Though the Church of Rome contemptuously sets its face against this provision, the Church of England largely takes advantage of it. In the years 1890-91 this great denomination had thirteen salaried teachers with 187 classes, attended by 10,000 children; and throughout the colony Protestant clergymen very generally visit the schools. It is obligatory upon parents or guardians to send their children to school; but the following are prescribed as reasons for exemption:—

(1) That the child is being regularly and efficiently instructed in some other manner.

(2) That the child has been unable to attend school from sickness or infirmity, or from fear of infection or other unavoidable cause.

(3) That there is no school maintained under this Act within two miles by the nearest road of the residence of the child.

(4) That the child has been educated up to the standard of education required.

It is provided that in thinly-populated districts, where the number of children is not sufficient for the establishment of a Public School, a Provisional School may be opened subject to the same course of instruction and the same control and inspection. Where the district is of a settled character, most of these pioneer schools naturally develop into regular Public Schools. In other districts, where the population is scattered, itinerant teachers are appointed who visit and instruct small groups of children, two or three days in the week.

The Scripture lesson-books which were adopted in the Irish National Schools are used as class-books, subject to the objection of any parent; a parent of the Hebrew faith, for example. It will be observed that

the Public School system of New South Wales endeavours to carry with its teaching the inculcation of the cardinal principles of our common Christianity, and avoid touching upon any point of polemical doctrine. The Sunday School is in many instances, and ought to be in all, the auxiliary to the Public School, and family influence and parental teaching, as a matter of course, must still be enlisted in doing their full share of service in preparing generation after generation for the battle of life.

CHAPTER XV

REFORM OF THE ELECTORAL SYSTEM—THE QUESTION OF THE LEGISLATIVE ASSEMBLY VOTING SUPPLIES BEYOND THE TERM OF ITS OWN EXISTENCE—THE OPINIONS OF SIR THOMAS ERSKINE MAY AND MR. ALPHEUS TODD—NEW MEN, AND ORIGIN OF THE PROTECTIONIST PARTY—USEFUL MEASURES OF LEGISLATION—ATTEMPT TO BRING THE LIQUOR TRAFFIC UNDER STRICTER CONTROL—CHINESE IMMIGRATION—THE BOARDING-OUT OF DESTITUTE CHILDREN—THE TREATMENT OF THE INSANE.

MANY complaints had been made for years past of the inequalities and anomalies in the system of representation. Districts which were sparsely peopled when the existing Electoral law was passed, had, from their internal resources and from new conditions stimulating their prosperity, grown enormously in population, while other districts had remained almost stationary, and some few retrograded. From these causes some electorates had grown four and five times as large as others possessing a like share of representation, which, of course, created much dissatisfaction in the newer and more thriving districts. Some years before, in a former Government, I had carried an Electoral Bill through the Assembly, which, however, was defeated by the action of the Legislative Council. The Government brought in a new Bill to carry

out this much-needed reform. This measure divided the colony into seventy-two electorates, which collectively were entitled to return 108 members. With the view of providing against the glaring inequalities which in the past had sprung from the rapid progress of particular districts, and had been felt so severely as a grievance, the Bill contained provisions which soon became popularly known as the 'expansive clauses.' As they are somewhat of a novelty, I copy the clauses :—

6. Subject to the conditions and provisions hereinafter contained, every electoral district entitled under the provisions of the next preceding section to return two members to serve in the Assembly shall so soon as the number of electors on the electoral roll for the time being of such electoral district shall have reached five thousand, be and continue to be entitled as hereinafter mentioned to return one additional member to serve in the Assembly.

7. Subject to the aforesaid conditions and provisions, every electoral district so entitled as aforesaid to return one member only to serve in the said Assembly shall so soon as the number of electors on the electoral roll for the time being of such electoral district shall have reached three thousand, be and continue to be entitled as in the said section mentioned to return one additional member to serve in the Assembly.

8. Subject to the same aforesaid conditions and provisions, every electoral district so entitled as aforesaid to return three members to serve in the said Assembly shall so soon as the number of electors on the electoral roll for the time being of such electoral district shall have reached eight thousand, be and continue to be entitled as in the said section mentioned to return one additional member to serve in the Assembly.

9. No electoral district shall be entitled to return an additional member under the provisions of section six, seven, or eight of this Act until the Governor shall by proclamation to be published in the *Gazette* have declared that such district is entitled by reason of the number of electors thereof on the electoral roll for the time being having reached the number hereinbefore in that behalf prescribed, to return an additional member in pursuance of the provisions of this Act. And such proclamation shall be issued so soon as practicable after it shall appear to the

Governor that the number of electors on the roll for the time being for such district has reached the number hereinbefore prescribed and has not during the then next preceding twenty-four calendar months been less than the said prescribed number by at least one-fifth thereof. Provided always that the first writ for the election of any such additional member shall be issued by the Governor and not for any election except a General Election. And all subsequent writs shall be issued in manner provided by this Act.

It will be observed that, although the machinery of the Executive is called into operation, to declare by proclamation when a district is entitled to an additional member, the title itself springs out of the natural increase of the electoral roll, which is collected by law. The effect of these 'expansive clauses' has been that the Legislative Assembly, which started in 1880 under the present Act with 108 members, contains at the present time (May 1892) the increased number of 143.

To guard against the abuse of unreasonable delay in convening a new Parliament, I provided in the Bill that the meeting should not be later than the seventh day after the return of the writ.

The Bill received good support in both Houses, and became law in July, 1880.

Owing mainly to the irregular financial action of the short Administrations in the early days of its existence, the Parliament in 1880 was approaching its termination by effluxion of time, when the question arose whether the Legislative Assembly was competent to vote the Supplies for the year 1881. The case is fully stated in a letter I wrote to Sir Thomas Erskine May. A similar letter was addressed to Mr. Todd, the author of 'Parliamentary Government in England.' I give my letter to Sir T. Erskine May, and the replies received from both him and Mr. Todd. The question is one very likely to present itself again, though possibly not in the same identical relations, and the opinions of these high authorities cannot be deemed of light value:—

Colonial Secretary's Office, Sydney,
July 14, 1880.

My dear Sir,—If you have no objection I should much like to receive your opinion on the following case, and if it is your wish I will of course regard your opinion as private.

The Parliament of this colony consists of two Houses, the Council nominated for life, and the Assembly elected for three years.

The writs for the present Assembly were made returnable on November 26, 1877, and its period of existence terminates on November 25 next. Parliament after its third Session with this Assembly was prorogued yesterday. The annual appropriation Acts for the three years 1878–1880 have been passed and assented to respectively, May 21, 1878, July 24, 1879, July 2, 1880.

The question has been raised as to whether the Houses should be called together again for what is termed a 'short session' to vote the Supplies for 1881, the financial year commencing on January 1.

Would the Assembly which expires by effluxion of time in November be competent to vote Supplies for 1881, having already voted Supplies covering the full legal term of its own existence? Has any House of Commons, elected for seven years, voted the Supplies for eight years?

I may mention further that among the Acts just passed is a new Electoral Act which enlarges the Assembly from 73 to 108 members, and the election of the new House must take place under this law not later than October.

Yours faithfully,
HENRY PARKES.

Sir Thomas Erskine May, K.C.B.

House of Commons, August 31, 1880.

Dear Sir Henry Parkes,—I entertain no doubt that your Parliament is perfectly competent to make provision for the public service for the ensuing year, or any portion of it. So long as its legal existence continues, it has power to make laws, which are binding upon the colony, until modified or repealed by a succeeding Parliament.

You do not state how soon the new Parliament will meet, nor how soon after January 1 it will be necessary to vote Supplies for the ensuing financial year.

If the meeting of the new Parliament should be too late conveniently to vote Supplies for the service of the year, the present Parliament might vote them for three months. These are questions of expediency which will be duly considered by you; but upon the constitutional problem submitted to me I have no doubt whatever.

Pray accept my best compliments, and with all good wishes,
I am, Yours very truly,
T. ERSKINE MAY.

As for precedents, I may say that this very year the late Parliament voted the Army Estimates until March 31, 1881, which was beyond the period at which the Parliament would have legally expired.

Ottawa, September 16, 1880

My dear Sir Henry,—Your letter of July 14 only reached me yesterday, owing to the fact that I had just returned from a holiday trip to England, for rest, after the publication of my last book.

You enquire of me as to the constitutionality of a vote of money to defray the ordinary expenses of Government for a period wholly subsequent to that of the legal existence of the Parliament itself—in other words, whether it would be constitutionally competent for a Parliament which would expire by efflux of time on November 26, 1880, to vote in a Session ending in July, 1880, Supplies for the service of the fiscal year commencing on January 1 following.

Such a proceeding would undoubtedly be highly irregular. Parliament may vote money for a limited and specific purpose, to be applied out of the Consolidated Fund 'from time to time' for an indefinite period, as in the case of the Grant for Fortifying the English Coast. (*See Todd, 'Parliamentary Government,' vol. i., pp. 494–6, Act 28 & 29 Victoria, chap. 61.*) Even in such a case there is a reserved right in Parliament to redistribute such an appropriation. (*See Imp. Act, 30 Victoria, chap. 24.*)

But when Parliament is about to be dissolved or to expire, under whatever circumstances, it is customary and proper 'to restrict the grant of Supplies [*i.e.* the ordinary Supplies for the support of Government] to an amount sufficient to defray the indispensable requirements of the public service until the new Parliament can be assembled.' (*Todd, 'Parl. Government,' vol. ii., p. 404.*)

This rule, however, must not be so strongly urged or insisted upon as to debar the Legislature, at its discretion, from voting Supplies *for the whole* OF THE CURRENT *financial year*, albeit but one quarter of the same should have expired before the close of the existing Parliament. In 1868, by common consent and for reasons of public convenience, notwithstanding that a dissolution of Parliament was agreed upon in the month of June (which took place in November, the new Parliament meeting in December), the Supplies for the whole fiscal year ending March 31, 1869, were actually granted before the prorogation of Parliament in July 1868.

But it would be undoubtedly irregular and contrary to the first principles of constitutional practice for an existing Parliament to assume the right of appropriating the annual Supplies for the ordinary expenses of the public service for a period of time which should *commence* subsequent to the date of its own legal existence.

The only circumstances under which an exception could properly be allowed to the operation of this constitutional rule would be in the event of the close of the financial year, being about to occur within a very short period of the anticipated or actual dissolution of Parliament. In such an event it would be allowable to vote *a portion* of the Supplies for the service of the ensuing year. But such an amount should be strictly limited to the actual necessity of the case, and should in no wise fetter or restrict the discretion of the new Parliament (or, possibly, of the new Administration) in dealing with the bulk of Supply required to be voted for the service of the future year.

This, however, is outside of the question you ask, which deals with the propriety of voting in July for the service of a whole fiscal year, *beginning* on January 1 *following* and voting, not merely a small sum in anticipation, to consist of ordinary unopposed items for the service of the State, until the usual time for the regular annual Session, but voting, as I understand you to suggest, the entire bulk of the year's Supply. This, I have no hesitation in saying, would be a highly irregular and unconstitutional proceeding.

Hoping you will find this explanation sufficiently clear and satisfactory,

I remain, dear Sir Henry,
Truly yours,

Sir H. Parkes, Colonial Secretary,
New South Wales.

ALPHEUS TODD.

The General Election under the Electoral Act of 1880 took place at the end of the year, and a large number of new men came into the Legislative Assembly as the revelation of the ballot-box. Of these may be mentioned the names of J. P. Abbott, G. H. Reid, W. J. Lyne, John See, J. P. Garvan, T. M. Slattery, W. J. Trickett, James Fletcher, and others, which have gained more or less prominence during the twelve years since. Three of them are now members of Mr. Dibbs's third Ministry, one is Speaker, and one is dead. The present Premier himself sat in the Assembly from January 27, 1875, until October 11, 1877, when he lost his seat and did not reappear in the House until 1883. Excepting the names of Mr. Reid and Mr. Trickett as identified with Free-trade, the above with several names less prominent may be said to loosely form the Protectionist party, but some of them were Free-traders on their entrance into public life, and none of them very pronounced on the other side for the first year or two. The process of conversion went on by occult means, and for different periods in the case of different individuals. Mr. Dibbs, a strong Free-trader throughout a long life, did not announce his conversion till the year 1887, and then only in view of taking the leadership of the Protectionist party. It may be admitted that no 'infusion of new blood' in any former Assembly had an equal effect in changing the composition of the House. Many of the new members were men of strong wills, who at least were determined to do something. In comparing themselves with others, it was pardonable to think that the balance of superiority was on their own side. And when men of 'strong wills' have to cast about to discover a political creed, it is hardly surprising that they should light upon Protection. Indeed, Protection seems a standing dish prepared for the politically raw and hungry, at all seasons.

All the old members of earlier years, the Macarthurs, the Cowpers, the Martins, and their contemporaries, had disappeared. Only two or three who sat in the first Assembly (1856) remained.

Other measures of much importance were passed into law in these years by the third Administration over which I presided.

Bills were passed to provide for the Water Supply and the Sewerage for the city of Sydney and the principal country towns.

An entirely new measure became law to enable the Government to acquire lands for public purposes by a prescribed procedure of arbitration. This had been rendered necessary by the exorbitant demands of persons with whom the Government had to deal in such cases.

Acts were passed to authorise the appointment of stipendiary magistrates, to provide for the summoning and the examination of witnesses before either House of Parliament, to extend and regulate the liability of employers in relation to injuries to workmen in their service, and to establish schools of anatomy.

Among the measures of higher character were Acts to create a Board of Commissioners to control and regulate the fisheries and the calling of fishermen throughout the colony, and other Acts, to which I feel justified in making a more lengthy reference. First of these was an Act to deal with the Liquor Traffic.

The law in New South Wales regulating the consumption of intoxicating liquors was virtually in the hands of the Benches of Magistrates. Without impugning the character of the magistracy as a body, it is not too much to say that the bench was often packed to grant or to refuse a publican's licence where the applicant had strong influence, or where Temperance bodies were strongly represented. This led to much

abuse in various forms. Public-houses sprung up in close proximity to schools and churches, and in localities where there was no visible necessity for them. Not only did the Temperance bodies carry on a fierce crusade against the licensing systems, but quiet and well-meaning citizens of all classes were urgent in demanding a reform of what was felt to be a crying grievance. One of the early measures of the Government was a Bill to establish a new system.

The new Bill provided for the proclamation of Licensing Districts, the creation of Licensing Courts, and the appointment of officers to inspect premises and to report on the manner in which licensed houses were conducted. It gave to the ratepayers of a district the power to say by their votes whether a new house in any locality was required or not, and it prescribed the number and size of rooms, and gave to the police definite powers of visitation. The second reading was moved by me on September 8, 1881; the debate was protracted over several sittings, and forty-seven members took part in it; but the second reading was carried on the 16th by 54 to 5 votes. The following is a slightly abridged report of my reply on this lengthy debate:—

I think it will be admitted that this debate is unprecedented in at least two respects. It certainly is unprecedented in the number of speakers, and I think it is unprecedented in the large amount of confusion which this multitude of speakers has created. If a debate is to bring out the features of the measure debated, if it is to conduct the understanding of the Legislature to one or other of the two sides of the question, then this debate has utterly failed; and in justification of this assertion, which I should not make lightly, I would ask any dispassionate and reasonable man to examine the forty-seven speeches which have been delivered. There are not two of those speeches which agree. I would ask any dispassionate and impartial man to examine the speech of any one of the gentlemen who have opposed the Bill and see if he can deduce from it the elements of any measure whatever. Surely on a question of this kind, admittedly

one of unsurpassed difficulty, the Government have a right to a generous interpretation of their motives, to a fair dealing with the provisions of the measure submitted, and to some suggestions in the place of the provisions which are objected to. I have to thank honourable members who intend to vote against the Bill for the fair and straightforward way in which they have opposed it, especially the honourable member for Yass Plains (Mr. Fitzpatrick). He thoroughly disbelieves in it. He tells us that the traffic in drink is like any other traffic; that you have no more right to interfere by vexatious legislation with the dealers in liquor than with the dealers in groceries. I can understand that view, though I cannot sympathise with it; and I admit that the honourable member has fairly met the measure submitted by the Government, and that in voting against it he is only performing a duty to which he is conducted by his own reasoning. But I cannot appreciate the action of honourable members who profess to be friends of the measure, who point out—thoughtlessly point out—all kinds of so-called objections without offering any suggestion in their place which will bear examination.

I remember reading, a short time ago, of a gentleman who approached Mr. Bright to offer suggestions on the Irish land question. The reply of the Minister was, 'Do you suppose that the sixteen gentlemen who form the British Cabinet, and who have been compelled to examine this question in all its details and in every aspect, have not thought of anything which is likely to occur to you?' I think that is a very rational and sound answer. Often in my experience of office I have discovered that nineteen out of twenty suggestions made to us have been matters which had already engaged our attention, and had been dismissed as being utterly untenable; and certainly the whole of the suggestions made in this debate as to a substitute for licensing courts have engaged the serious attention of the Government. We have thought of District Court Judges, we have thought of every conceivable agency, and we came to the conclusion that the machinery of these Licensing Boards is by far the best, and I hope I shall be successful in proving to anyone who will follow me that we have good reason for thinking so. Of course my difficulty will be great, within a limited period, to deduce from the vast number of speeches delivered all the objections which have been raised, or even any fair approximation of those objections;

but I will try, and I will try especially to answer, as I think I shall do successfully, the objections to the two main provisions of the Bill. Before I proceed further, I hope I may be pardoned for calling the attention of honourable members to the spirit and manner in which I introduced the Bill for their consideration. I was studiously as moderate as I could be. I endeavoured to avoid any possible provocation to hostile or unfair criticism. I confined my observations, with the exception of one or two sentences, not to the question of temperance, but to the question with which I have to deal—the better regulation of the traffic in liquor. I therefore am not answerable for this deluge of confusion. I did not set the example of irrelevant and pointless discussion. I spoke but thirty minutes, and no other Minister has spoken. I confined myself from first to last to the object of the measure, and I distinctly stated that it was to bring the traffic in liquor under sounder and more healthy regulations. I indulged in no tirade against publicans or against teetotallers. I said nothing about the evils of drunkenness, except in one or two sentences, and in a very general way. If I had desired to describe the evils of drunkenness, I might have done it in the words of a very staid and sober man, a member of the House of Commons—I mean Mr. Walter, the proprietor of the ‘Times.’ They might have been described more forcibly in three words of his than they have been described in all the wild teetotal speeches which have been addressed to us. Mr. Walter said that intemperance was the ‘Devil in solution.’ I do not think it could be stated more forcibly or more eloquently in a speech of two hours; and it is simply because the trade in liquor leads to putting the Devil in solution that it is absolutely necessary to regulate it. You may ask why we do not regulate the trade in tea and sugar, or potatoes, or grain. I answer that it would be perfectly permissible to do so under certain circumstances, but those trades have not the same effects as that of the publican. The commodity sold by the publican has the effect of converting rational men into lunatic men, of letting loose the wildest passions, which generate all crime, which uproot the very foundations of society, and make neighbourhoods unfit for peaceable men and women to live in. I say this only in justification of the necessity imposed upon us of regulating this traffic. Now the Bill, recollect, is designed to regulate the traffic. I beg honourable members to keep in mind those

words. We do not propose to leave the publican to do as he likes ; we propose—and we ask your assent to the proposal—to place him under continuous supervision. Hence, then, I have no sympathy whatever with those honourable gentlemen who tell us that when a licence is once granted to a publican he should have a right to hold it until it is forfeited by misconduct. I say he has no such right because he is engaged in a perilous trade—perilous to his morals, perilous to his own family, perilous to the neighbourhood in which his house is situated, and perilous to society at large. The publican ought not to have the right to sell these destructive liquors except from year to year, and if the Bill passes into law there will be a system of supervision which will be able to detect whether he has done anything to forfeit that right. It is because it is necessary that this continuous supervision should be exercised over the traffic—that there should be inspection to see that no deleterious ingredients are intermixed with the liquor ; that there should be inspection to see that his house is conducted in an orderly manner ; that there should be supervision to see that he is worthy to have his licence renewed—that some body is required not simply to issue licences, but to cancel them if necessary, and to cancel them on the evidence of inspectors. It is for these reasons that the duty cannot be delegated to such a person as a District Court Judge or to anyone else similarly situated ; but there must be some body created whose business it will be from day to day constantly to supervise the trade and to see that society, in the first instance, is protected at all hazards. The city and suburbs and other portions of the county of Cumberland contain a vast amount of this traffic ; the business there is almost inexpressibly larger and more important than it is elsewhere, and for this reason there will be a great deal more work to be done by the Board. There will be a necessity for a constant watch, and for constant attention to the business. It is not the granting in a perfunctory way of licences on some particular day, but the supervision of the whole trade ; and it has been thought that it would be a far better plan to have in the county of Cumberland a larger Board. In this case the probability will be—almost the certainty will be—that the Board will consist of the police magistrates of Sydney and the suburbs (because we intend to ask the House to sanction the appointment of stipendiary magistrates for Sydney and the suburbs), and perhaps the Mayor of Sydney.

There has never been the slightest intention to provide for all the imaginary patronage which is talked of. I am glad that although I am the oldest member of the House I have had no experience of this corruption which has been referred to—this constant solicitation to get situations for people. I have held my course in the House for twenty-eight years, so that no man would dare to ask me to get him a situation under the Government; and I defy any Minister ever in office to point to an instance in which I sought to get a person employed under Government. If other honourable members would take the same course, they would not be so pestered by applications such as they have described so helplessly in the course of this debate. If this kind of corruption exists, I have not been contaminated with it, either as a Minister or as a member of Parliament. I sat here twelve years before I became a Minister of the Crown, and during that period I never asked a favour from any Government, either for my friends or for myself; and if other honourable members would take that course they would stamp out this corrupt system of patronage of which so much is said. I can appeal fearlessly to those who are opposed to me, and to those who sit behind me, whether I have exercised patronage in this improper manner at any period of my life. Then why should it be suspected that we are creating these boards for the mere sake of appointing hangers-on, as they are called? I can say safely—if I may be permitted to make the digression—that whenever any person has applied to me to exercise my influence for him, on the ground that he has voted for me at an election, I have turned round and said, ‘You need not have voted for me, and you either voted for me because you thought it your duty to do so, or you ought not to have voted for me; and in either case I will not recognise that class of services.’ We have no intention, we never had any intention, of creating unnecessary offices, or to do more than appoint a body which should be a body corporate, and in that capacity should be charged with the duty and the responsibility of managing this traffic; and I hope that we shall be acquitted on all hands of any desire for an improper exercise of patronage. These boards will have to consider all applications for new licences, not to consider them as a mere matter of form, but as coming under the operation of other provisions of the Bill, including, where practicable, the exercise of the rate-payers’ vote. They will have to consider all renewals of licences,

all removals of licences, all transfers of licences from one person to another; to consider all questions of altering or amending the classification of houses by inspectors; and to consider the cancellation of licences and the disqualification of licensees from holding licences for a period of years; and they will have to undertake the hearing of all complaints under the Act cognisable by a court of petty sessions or some higher court. You will thus see here a mass of business quite sufficient to engage the attention of these courts, and which a District Court Judge could not discharge without impairing the exercise of his own proper duties. I do not think we have such large ground to be satisfied with our District Court Judges as to heap upon them duties so foreign to the strictly judicial course they ought to take; and certainly these duties could not be performed by them if they are to be performed in the sense I have explained. What I mean by that is: if the House agrees with the Government, the trade is not to be left to itself, but that it is to be subject to rigid regulation and supervision, not on one occasion only, but from day to day, from month to month, from year to year, as long as the licence is held; and I maintain that this, and this alone, is the means whereby we can make the trade safe and respectable. You cannot, by any device of yours in issuing licences, or by measuring the capacity of premises, secure a continuance of respectability and good order and all that is required for the public good. As I have already hinted, the trade itself is calculated to destroy the character of the person who enters upon it. I do not say this is always the case. I desire to steer clear of reflections on the trade as a whole; but every honourable member must know cases in which men have entered on the trade comparatively sober and well-conducted, and who have died a premature death owing to the seductions which the trade itself supplies; and it is for this reason that you cannot trust the trade as you trust any other. Now with regard to the amendments proposed by honourable members. I asked the House in my short address on moving the second reading to regard two principles in the Bill, and on the second reading to affirm or reject them. One was the establishment of licensing courts, the other the system of election which is called local option; and if these were considered the leading principles of the Bill, I said I should be prepared to accept the assistance of honourable members from any quarter of the House in the endeavour to make the measure as effective as possible for its

objects. But we have not nailed our colours to the mast lightly on these questions. We have not in the crude way some honourable members suppose, considered the provisions alluded to. The facts adduced show that we have been thinking on the subject and trying to deal with it in an effective way, and we submit these provisions as the best we can devise for dealing with the traffic. The House has received 236 petitions in support of the Bill. On no question—either the Public Instruction Act or the Public Schools Act of 1866—was there anything like such an array of petitions as there has been on this. Honourable members may say that all these petitions are alike. They are; but that in no way lessens their value. It adds to their value; it shows the unanimity of the people. These petitions are signed genuinely. What if some organisations have prepared and distributed them, as I dare say they have? They had a right to do it, and they were very properly employed in doing it. The men and women who signed them were at liberty to sign them or not; but they have signed them, and the signatures, which are all genuine, amount to about 30,000. Not one of them complains of the provisions for licensing boards. The petitioners have felt too largely the destructive consequences of licensing public-houses by magistrates. They know too well how unsafe it is to leave a power of this kind to an authority which was never intended to exercise it. They do not ask for any alteration of the licensing courts as provided for in the Bill, and for a very good reason: because they know as well as any honourable member of this House knows, that some new mode of granting these licences is necessary—that the mode existing hitherto has proved an utter failure. Well, what do they ask?—that the principle of local option should be applied to renewals. They ask in this respect for less than the Bill gives them. They ask that agreeing to, or disagreeing to, the licensing of any public-house should be decided by two-thirds of the votes taken; we propose that it shall be decided by eleven-twentieths. We go further than the petitioners. Of course when these petitions were signed it was proposed in the Bill which was laid before the House, and was the other day withdrawn, to decide the question by two-thirds of the possible votes, and all the petitioners ask for is that it should be decided by two-thirds of the actual votes. They ask that the clause providing for the issue of bottle licences should be erased. They also petition against the 10% licence for roadside inns, and for the total closing of

public-houses on Sundays. So that the Government may be said to be in accord with the people of the country, unless you presume to dispute the right of petition. The petitions are genuine, and are duly signed.

The right of petition is a great and sacred right, and in this instance it has been soberly and judiciously exercised under the genuine signatures of the petitioners. It in no sense matters whether the petitions have been sent already written. Someone must write every petition. We have had a petition from the licensed victuallers, and they have not gone the length to which some honourable members proceeded who professed to be friends of the Bill. I now have to deal with the other main provision in the Bill which is called local option. I do not for a moment charge men with so much experience as the honourable member for Camden (Mr. Garrett) with uttering wild opinions in order to gain a little popularity; but in this respect it is a wild thing to talk about giving the franchise to the electors in a district, and to women also; and I think I shall be able to satisfy every reasonable mind that it is so. What does local option mean? It is quite a different thing from the election of a member to the House, from the election of a member of a municipal council, or from the election of a member of even a private society. By this local option a certain number of persons are required to say 'yes' or 'no' to the question whether they will have new public-houses. For this to have any effect whatever, to be worth a straw, it must be confined to the neighbourhood, and it must be the neighbours who vote. I will take the constituency of Canterbury. Suppose you adopt the electoral roll of such a constituency, what would the electors of Gannon's Forest know about the question whether a public-house was or was not wanted in Burwood? Nothing whatever. But let us go the length of taking the constituency of The Bogan. Perhaps Sir Patrick Jennings will tell me the distance embraced in the electorate—I suppose it is 200 miles.

SIR PATRICK JENNINGS: Between 200 and 300 miles.

SIR HENRY PARKES: How impossible it would be to have a genuine decision of the people whether a public-house was or was not wanted at any point of this constituency if the question had to be decided by persons who lived 200 miles away! The term 'local' means that it should be in a limited locality, where the neighbours, the fathers of families, can judge for themselves as to whether the public-house is wanted. Hence we have

proposed that this shall be done in wards where it is possible, and, where it is not possible, that it shall be done in the next narrowest limits, those of the municipality. It would be the greatest farce in the world to pretend to exercise the power in a political electorate. The introduction of the principle is an experiment; we confess at once that it cannot be applied all over the country without the creation of new machinery; but it can be introduced by the machinery of municipalities so that it will affect one-half of the public-houses in existence, and by far the largest number of the population. I ask every friend of the principle whether it is not better to try the experiment on these safe lines—where it is practicable, where it can be worked—than to go into some imaginary theory for the sake of having a popular basis under which it would be impossible to work it? Of course if we ever extend the principle all over the country, we must create districts for the purpose. It will be a farce to talk about local option if strangers who know nothing about the requirements of the locality are to decide the question. It is necessary to adhere to the literal meaning of the term ‘local option,’ and the power must be exercised by persons who know the district and who can say whether a public-house is or is not wanted there. I hope honourable members will be satisfied that we have not introduced these provisions without thinking about them, at all events. I think honourable members will find that we have introduced provisions which are practical—which, if carried out, will effect the purpose aimed at; and that not one of the suggestions which have been made would have the same effect. I am quite free to admit the straightforwardness of honourable members who tell me that they intend to vote against the Bill. I am willing to modify these provisions in any way to make them more workable, and I have indicated in my opening address how frankly I shall be prepared to receive any reasonable suggestions. I have indicated how it is proposed to constitute these licensing courts. I shall maintain the proposal to establish them. I do not see why the worst interpretation need be placed on the conduct of the Government; I do not see why we should be supposed capable of constituting the courts in the way suggested by some honourable members. I have told the House plainly that the courts in the country will be composed of the nearest police magistrate and one or two other persons. In the metropolitan district the courts will consist of the

stipendiary magistrates and possibly the Mayor of Sydney, and we have no intention whatever to place on these courts the army of adventurers spoken of. I listened with a great deal of attention to the speech of the honourable member for Yass Plains, and with a deal of admiration for his frank, straightforward way of opposing the Bill, of which I do not complain for a moment. But what am I to say of the honourable member for Illawarra? When he got on his feet he said that he hailed the Bill with the greatest pleasure because it embodied principles in which he believed; he went on to say that he agreed with the principle of local option, but he objected to such a small majority as eleven-twentieths ruling. Well, we have other honourable members who want simply a bare majority. The honourable member also told us that publicans' rights ought to be permanent like those of other tradespeople; he objected to their being harassed every three years. Well, if it be harassing, we intend to harass them every year; we intend every year to see whether they conduct their houses properly, for the reason that, even when well conducted, their trade is so deadly in its consequences to the best interests of society. The honourable member for Shoalhaven read a most appalling account of the misconduct of persons in a public-house in some part of the country. I should like to know how that could have come about if the magistrates had not abused their power in issuing licences? I, for one, with some knowledge of the country, believe that the power of magistrates to grant licences has been just as much abused in the country as in the city. Then we are told that we ought to adopt the system which prevails in Victoria. I admit at once that I should think twice and look three or four times before I copied anything from Victoria. If the proof of the system is to be found in its fruits, I say that the public-houses are unreasonably numerous in Victoria, and that they are kept in an unreasonably bad style.

The late Premier described the measure by a classical term, which we hear him apply to all our measures—he said it was a 'tin-pot measure.' If the honourable member were present, I might call him a tin-pot legislator; the word—if I may be pardoned for saying so—would be quite as applicable to him as a member of the House as it is to the measure. The honourable member for The Bogan (Sir Patrick Jennings)—who, by the way, though marvellously friendly to the Govern-

ment, has not been able to agree with anything we have done—broached the wonderfully wise suggestion that the licensing court should be composed of the police magistrate, and one or two persons associated with him. I contend that this is exactly what the Bill provides for outside of the metropolis.

I do think that on a question of this kind, where so much is required to ensure the peace and good order of the neighbourhood, at least one-third of the electors on the roll ought to decide. It could not be more than one-third even if the clause remains as it is. This is a convenient time for me to say what my views are as to keeping the clause as it now stands. I certainly shall do my utmost to preserve a substantial majority. I consider the election of a member of Parliament a very different thing from deciding this one question, which I consider should be decided by a majority that cannot be disputed. I am willing that it should be the lowest possible substantial majority. I am not so particular about the two-thirds; but, if honourable members will bear with me and recollect my explanation that I want to point out that this system of local option must be exercised in small neighbourhoods, it is very probable that nearly all the votes will be exercised. You tell me that in a parliamentary election it is seldom that two-thirds of the electors record their votes; but that is on account of the distance which people have to come. They will not be required to come at all in this case; and the votes will be taken in a very narrow neighbourhood where every person will know every other person's business. I once represented for some years the constituency which is now represented by the honourable member for Kiama, and in that electorate on one occasion all the electors except eleven recorded their votes. I admit that it is a compact constituency, and that such a result could not be obtained everywhere. But in the districts in which local option would be exercised I believe that two-thirds of the votes would always be recorded; and I only ask honourable members to recollect how desirable it is to have in this law all the elements which can afford satisfaction to the popular mind. You may fairly submit a question of this kind to local option. Whether it is or is not an innovation, it is in accordance with common-sense and with common English virtue that the people should decide whether they will have a nuisance in their neighbourhood; but what similitude, what analogy at all can there be between submitting a simple question of this kind and submitting a law passed by

the constituted Parliament of the country? I deny that there is the slightest analogy between the principle of submitting this simple question to the vote of the locality where the thing is to be felt and experienced, and submitting a law made by the Legislature for the whole people.

The most remarkable speech—perhaps the most remarkable in having nothing to do with the Bill—was that delivered by the honourable member for Gundagai. I am sorry he is not here. He spoke for an hour, and certainly said nothing that could properly apply to this measure. He told us, for instance, that he could not understand why importance should attach to the question. I think that every other member knows why importance should attach to the question. I think that what I said myself is sufficient to show why importance should attach to it; and I think that what was said by honourable members who have opposed the Bill shows it. The honourable member talked about the Government trafficking in vice and immorality because they license the trade. The Government is under a necessity to license it for the purposes of regulation. Then he said that drinking caused the establishment of public-houses; but I say that drinking is, to a large extent, caused by the public-houses. In my earlier life I held the view for some years that free trade in drink would be a wholesome thing provided that houses were not fitted up for its consumption. If it were sold as other commodities, such as drugs, and people could buy it only for consumption in their homes, it would probably have a tendency towards greater sobriety amongst the people than at present. That is, of course, if there were no licensed houses whatever. And why is the eligible corner of a street selected for a public-house? Why is the public-house fitted up with more regard to comfort than a house for the occupation of a family? Why is it made so attractive? Is it not the fact that when men get dissatisfied from some cause of grief or family disturbance they rush out and find in the public-houses a spurious comfort which they cannot find at home? Is it not the case that young people are attracted to those places; that they are induced to go again and again, and that from having a distaste for drink they become enamoured of it. I say that the public-houses are colleges for the education of drunkards, and I deny altogether that they are necessary to satisfy any natural appetite for drink. Where is the person, man or woman, boy or girl, who has a love of drink until his or her taste has become

vitiated? They have to acquire it, and in a hundredfold degree they more easily acquire this pernicious taste in the public-houses. I therefore deny altogether that it is a natural desire for drink which creates the public-houses. The honourable member for Gundagai went on to say that, instead of dealing harshly with the publicans, the Legislature ought to educate public-houses. The Legislature would present a pretty spectacle to the world if they set to work to educate public-houses; and I think, although we live in a different age and under men of different fibre, that some power equal to that of Cromwell would soon be found to send about their business the Legislature that could find nothing better to do than to educate public-houses. Then, in allusion to the misconduct of certain magistrates in Sydney, the honourable member asked why the Government neglected their duty in not compelling the magistrates to do their duty. That is exactly the thing that Governments cannot do. The only security they can have with regard to magistrates—and I am sorry to say that it does not always exist—is the appointment of proper persons. They cannot compel the magistrates to do their duty. The only thing we can do is to dismiss them. Then the honourable member for Gundagai told us, almost in a passion, that local option would not bear examination. ‘If in the days of Fox and Burke,’ said he, ‘you talked about local option’—he did not tell us what would have happened. The probability, however, is that Fox would have enjoyed a night at Brooks’s. That was his notion of local option. I do not know that Burke, with all his brilliant abilities, had very much regard for the temperance cause. In those days no man was considered a gentleman in England unless occasionally he fell drunk, or something like it, under his own table; and the most eminent Prime Minister of that period never consoled himself with less than two bottles of port before going to bed. What is the use of telling us about Fox and Burke in the discussion of a question of this kind? Have we not men living in the present day who will figure in English history in a position equally eminent as that of those illustrious men?

I hope I have to a large extent satisfied honourable members that the leading proposals of the Bill are sound and practicable. I think honourable members will admit, at all events, that we have thought about them; and that we have not lightly inserted them in the measure. I have only to say that I intend to adhere

to them ; but I shall be quite prepared, and I shall consider it my duty, to accept the assistance of any honourable member in giving the most effective operation to these proposals, and in dealing with the details of the Bill in other respects. As to the measure itself, I believe it is a great measure. Its enemies admit that it is full of innovations ; and they therefore admit that there is something new in it. I believe that it makes great and sweeping changes in the law governing this traffic ; that it will secure better houses, and place the trade in safer hands ; that it will, to a large extent, prevent the adulteration of liquor ; that by keeping up a constant system of inspection it will preserve the trade comparatively pure ; and that the effect of the caution exercised by the licensing courts will be that in the future houses will be licensed only where they are really wanted. If these great ends be attained, the measure, instead of being mischievous, instead of doing injury, will be fraught with untold blessings which will spread themselves through every rank of society, and tell with golden effect upon the hopes and aspirations of our posterity.

The Bill had to undergo severe criticism in committee, and some of the clauses were pertinaciously contested not only on the ground of the publicans' interest, but in support of the extreme views of the Temperance visionary. Harrowing pictures were drawn of a ruffianly policeman bursting into the private apartments of a licensed victualler at the dead hour of night and all the sacred immunities of home being desecrated. On the other hand startling pictures were presented of the bribing of the police by the overpowering liquor interest, and the pretended stringency of the Bill being laughed at by the wily tavern-keeper, while all the profligacy and wretchedness attending the drink traffic would go on as before. But the Bill passed through committee successfully, and did not materially suffer in its passage through the Upper Chamber. It received the Royal assent on December 19.

When opening the next session of Parliament the Governor was enabled to speak in the following satisfactory terms of the operation of the Act during the

short time of its existence :—‘ You will be glad to learn that the important Act passed in the last Session for regulating the trade in intoxicating liquors, though defective in some particulars, has worked generally for the public welfare. Notwithstanding the increase of population, the number of convictions for the offence of drunkenness at the Metropolitan Central Police Court for the first six months of this year was 2,983, against 3,980 for the corresponding period of 1881, showing a decrease of 997 ; whilst the convictions for the same offence at the Water Police Court show a decrease of 622 on the same periods. It is impossible to resist the conclusion from these figures, that the sobriety of the community has been largely promoted by the present law.’

Some amendments of the law were subsequently passed, some of them, but not all, improvements. But the main principles of the Act of 1881 remain untouched.

Among other important measures successfully carried through Parliament was a Bill to restrict the immigration of Chinese. It is very self-satisfactory for persons who know nothing of the effects of Chinese immigration to speak of the illiberality of stringent legislation of this character ; but those who feel, or see in many symptoms around them, the disturbing consequences cannot be indifferent to this social movement. Our measure became law, and was accepted as a settlement of the question for the time. But a few years later, as we shall see, the trouble had to be faced again and dealt with in a far more drastic manner.

On April 5, 1881, the Act to establish a system of boarding-out State children received the Royal assent. By it one or more persons under the title of Boarding-out Officers, and controlled by a Board of nine persons, appointed by the Governor in Council, and subject to the Colonial Secretary, were entrusted with carrying

out its provisions. The Board was empowered to issue licences to persons desirous of receiving State children as boarders, and entrusted with complete supervision of the children as regards education and conduct, and finally of apprenticing them for a term not exceeding five years, also of taking the necessary steps in cases of adoption, or of the restoration of a child to its parents.

The Governor, with the advice of the Executive Council, was empowered to frame regulations from time to time with regard to the maintenance, education, and control of the children, and the payment of persons boarding them. Penalties were imposed on persons boarding State children for ill-usage or neglect of duty towards them, and also on persons inducing them to abscond. Payment for maintenance of State children shall be specially provided for by Parliament, or if such money be not available, out of the Consolidated Revenue Fund, to be afterwards reimbursed out of money voted for such purpose by Parliament. The President of the Board was to make an annual report of the number of children boarded out, apprenticed, adopted, or, in the case of reformatory schools, of the number returned to original place of detention; also of the name, age, sex, and cost of maintenance of each child.

Prior to the passing of the State Children's Relief Act, the colony had three principal refuges for destitute children—the Randwick Asylum, and the Protestant and Roman Catholic Orphanages at Parramatta. These contained about 1,400 children, entirely supported by Government. When the new Act came into operation the children were removed as soon as practicable from these refuges and boarded out in selected homes in healthy localities. Since that time 4,384 children have passed under the control of the Board, and have been benefited by this system. At the present time there are 2,396 under control, of whom only 1,389 are paid for as boarders, 163 have been

adopted by persons in good circumstances, and 844 are supporting themselves at service.

Excellent results have followed this system of home training for children, as only 3 per cent. of the children proved too untractable to be satisfactorily dealt with, and only nine of the girls have been returned to the Department. It has been found that the cost of the boarding-out system is 33 per cent. less than that of supporting them in institutions, thus causing a saving of at least 10,000*l.* per annum to the State.

Victoria and South Australia also find that the boarding-out system yields satisfactory results. In New Zealand and Queensland it has been adopted with success.

As President of the Board, the Honourable Arthur Renwick has rendered very valuable services to the colony, and there are few Acts with which my name has been connected which I regard with more pride.

Not the least important of the numerous Acts passed by my Third Administration was the existing law relating to the insane, which received the Royal assent on February 4, 1879. The Act repeals all previous enactments and consolidates and amends the law on the principles most recently laid down by the best authorities for the careful custody and humane treatment of this unhappily-afflicted class of the human family. It provides for improved means of placing under restraint and securing efficient and instructed attendance, for ameliorative conditions of confinement, and for the safe administration of the private estates of helpless patients. It is a measure worthy of the benevolent and enlightened character of Dr. Manning, who had the chief share in its preparation.

CHAPTER XVI

VISIT TO AMERICA AND EUROPE—SAN FRANCISCO, ITS HOSPITALITY—ALBANY—NEW YORK—PRESIDENT ARTHUR IN SOCIETY AND AT THE WHITE HOUSE—GENERAL GRANT AS A SPEAKER—WASHINGTON FESTIVITIES—ENGLISH INVITATIONS WHILE IN AMERICA ; ONE FROM THE POET TENNYSON—ARRIVAL IN ENGLAND—MR. GLADSTONE, MR. BRIGHT, LORD GRANVILLE, THE PRINCE OF WALES, AND OTHER PUBLIC PERSONAGES—THE ROYAL ACADEMY DINNER—TRIP TO THE CONTINENT—THE KING AND QUEEN OF THE BELGIANS—FROM BRUSSELS TO BERLIN—LUNCHEON WITH THE CROWN PRINCE AND THE CROWN PRINCESS AT POTSDAM—RETURN TO LONDON—AT BUCKINGHAM PALACE—A PRIME MINISTER'S ABSENCE FROM HIS POST.

In the latter part of 1881 I was overtaken by a serious illness which rendered it necessary, on the advice of two medical men, Dr. Fischer and Sir Alfred Roberts, that I should seek an entire change. Parliament was prorogued on December 20, after the despatch of a large mass of business, including the constitutional provision for the Government services during the financial year of 1882. The Administration had entered upon the fourth year of its existence.

Under these circumstances I started on a journey to America and Europe, apparently with the unanimous consent of Parliament and the goodwill of the people. The two Houses gave me a farewell banquet, and the citizens, under the presidency of the Mayor, gave me another ; and I heard no expression of dissent in any quarter.

I left Sydney with my daughter on December 29, 1881, in the Royal Mail steamship *Australia*, commanded by Captain Cargill. The voyage was pleasant and without any noteworthy incident. We called at Auckland and at Honolulu, and, between these places, the weather being fine, we loitered with slackened steam at Samoa for three or four hours, where the natives came on board in large numbers for purposes

of curiosity and trade. Most of them, both male and female, swam off to the vessel. Nearly every passenger purchased some article—fan, basket, or mat—of native manufacture, and our brief stay was full of varied interest. We entered the Golden Gate early on the night of January 24, and anchored off the lights of San Francisco at midnight.

I had no suspicion of the welcome that awaited me, or that I should be treated other than as a stranger. My notions of the city of San Francisco were not very favourable, and I decided not to leave the ship until the morning. I was preparing for bed when a deputation came on board to take me on shore. I, however, adhered to my decision to remain on the ship. In the morning my new friends came back and drove me to the Palace Hotel, where the suite of rooms which had lately been occupied by General Grant were secured for me. I was surprised to find myself treated as a person of importance. My name appeared to be well known as that of one holding a high place in the public life of Australia. But in addition to this supposed claim to public notice, I was recognised as the originator of the Trans-Pacific Steamship Service, and it soon became known that I had authority from the Governments of Victoria, Queensland, and New Zealand to open negotiations with the authorities at Washington for the repeal or reduction of the duties on Australian wool. Nothing could well exceed the hospitality of my entertainers, which was extended to Miss Parkes equally with myself. Every forenoon during our stay a carriage was at the hotel door to drive us out, and visits to all interesting localities were arranged for us. Of course we were taken to see the sea lions, and General McDowell organised an excursion to show us round the harbour. Every evening we were entertained in some private family or taken to the theatre. We were told that we should be franked across the

continent to New York, but nothing was said beyond these simple words. When the day of our departure arrived, and we reached the railway station, I was astonished to find that a Directors' carriage had been attached to the train for our convenience. To enable those who have not travelled in America to understand what a 'Directors' carriage' is, I will briefly describe ours. We entered a beautifully furnished drawing-room heated by steam tubes (it was the depth of winter); a passage led from this to a spacious dining-room; off the passage were two bedrooms, each containing a double bed and every convenience. Beyond the dining-room was the kitchen and scullery. There were a first-class cook and waiter appointed to the carriage, and the table was served with as much ceremony and as choice provision as we should look for in a leading hotel in London or Paris. By some arrangement between the companies we were permitted to connect our carriage to any train, which enabled us to make stoppages to suit our pleasure or convenience. Hence we broke the long trans-continental journey by a delay of two days at Chicago and similar stoppages at Niagara and Albany. A deputation of two gentlemen accompanied us from San Francisco to Council Bluffs, who anticipated all our little wants on the way, and paid us every polite attention; at this point we were met by another deputation from New York.

At Albany, the capital of New York State, the Legislature had just assembled, and Governor Carnell invited me to his dinner to members of the two Houses which happened to take place on the evening of my arrival. The streets were covered with several inches of frozen snow, and the Governor placed his sleigh at our service during our short stay. We had two or three drives round the city, and we visited both the House and the Senate while sitting. A member of the Senate was in the midst of an animated speech, indulg-

ing in much action, when the Speaker's bell or hammer (I forget which) signified that his time was up; and he dropped into his seat with an unfinished sentence on his lips. It was something quite new to me, but with my recollections of long-winded oratory fresh upon me, the practice seemed to present itself in attractive guise. I met Mr. Carnell afterwards in New York, and he struck me as a man of great capability and much reserved force of character. It is no part of my purpose to indulge in descriptions of places or of natural scenery, or I could occupy many pages upon the features of this, to me, memorable journey.

While in San Francisco the officers of the State troops had desired me to hold a Reception to enable them to be presented to me. They attended in full force, and afterwards gave a champagne supper, the military band playing in the courtyard of the hotel all the evening and concluding with 'God save the Queen.' Soon after leaving the city of the Golden Gate I had received an invitation to dine with the members of the Lotos Club in New York, and another invitation to address the members of the Chamber of Commerce on Australian interests. So that I arrived in New York with my hands to some extent already engaged.

I was driven direct to the Windsor, where a suite of rooms was prepared for myself and Miss Parkes. The Mayor, several members of Congress, leading members of the mercantile community and of the learned professions, with their wives, called upon us during the first couple of days; and invitations to dinners and evening parties flowed in upon us in a rapid stream. One of my earliest dinners was at Washington, given by Mr. Justice Field, to celebrate the birthday of his brother, the distinguished jurist, Mr. David Dudley Field, whose acquaintance I had formed in Sydney some years before. My deep respect for Mr. Dudley Field led me to undertake the long journey

in acceptance of this invitation, making the occasion contributory in some measure to a more extended visit intended to be made a little later, for the purpose of opening negotiations with the Government on the subjects of the Trans-Pacific Steam Service and the duties on Australian wool. Standing in Mr. Field's drawing-room, I noticed a tall, portly gentleman in plain evening dress enter and engage in conversation with gentlemen near the door. 'Who is that?' I enquired of some one. 'Don't you know?' was the reply; 'that's the President!' 'The President of what?' I involuntarily asked. 'The President of the United States,' was the quiet answer. Looking back at the incidents over the waste of ten years, I do not think my mind had actually formed a conception of the elective Sovereign of 60,000,000 of people, when General Arthur came up to me, and I was introduced to him. At dinner the President sat on the right of the chair, and I sat next but one to him, and I had some snatches of conversation with him during the evening, and I met President Arthur several times afterwards, and again in New York in 1883. On this last occasion he had come from Washington to act as pall-bearer at the funeral of an old friend connected with the public press. He had rooms in the Fifth Avenue Hotel, not even on the first floor. There was no sentinel at his door, nor even a liveried messenger to announce visitors. He came out into the waiting-room to see me, the Secretary of State, Mr. Frelinghuysen being with him. A diplomatic body from the Morea were waiting to obtain an audience, and he personally named a later hour to see me when he had 'fixed up' the diplomats. We needn't go to monarchical England for a contrast to the simplicity of the court of Arthur as I saw it in New York. I had been present at a review of the Connecticut troops when the Governor of that little State appeared on the scene in full uniform and mounted, with two stylish

equerries in attendance. Speaking of this review, there was present an African regiment which appeared to be equal in step and drill to the white contingents. At Mr. Justice Stephen's dinner I became acquainted with Chief Justice Waite, Mr. Stanley Matthews, Associate Justice, and other celebrities.

The New York Chamber of Commerce has been in existence 123 years. My invitation was in the following form :

Sir Henry Parkes, Prime Minister, &c. &c.

Chamber of Commerce, New York,
February 3, 1882.

Sir,—I have the honour to hand you the enclosed preamble and resolution unanimously adopted by this Chamber, at its monthly meeting held yesterday.

With great respect,

Your obedient servant,

GEORGE WILSON, Secretary.

Chamber of Commerce of the State of New York.
Founded A.D. 1768.

New York.

At the monthly meeting of the Chamber of Commerce, held February 2, 1882, the following preamble and resolution, offered by Mr. Cyrus W. Field, and seconded by Mr. James M. Brown, were unanimously adopted :

Whereas, Sir Henry Parkes, of Sydney, New South Wales, and Prime Minister of that Colony, is now on a visit to this country, and is expected in this city on the 15th instant, and

Whereas, the cultivation of friendly relations and commercial intercourse with the colonies of Australia is a matter of public concern—therefore

Resolved, that Sir Henry be requested to meet this Chamber on the 15th instant, at 1 P.M., to enable its members to pay their respects to him, and to enable him to give to them such information in respect to the relations of Australia with this country as he may think interesting to them.

(A true copy)

GEORGE WILSON, Secretary.

On presenting myself I was warmly welcomed by the President and other members, and after an interchange of views on some prominent questions, I addressed the Chamber for about an hour. I pointed out the principal conditions of the Australasian system and its relations to other parts of the world, giving such facts as seemed necessary to show the progress of settlement, the growth of industries, the volume of trade, the social and educational state of the population, and the probabilities of the future. I then described the limits of New South Wales, its condition and its prospects, dwelling upon the advantages of regular communication with the United States and the sound policy of removing the import duties on the fine wools of Australia which went so largely into the woollen manufactures of America. My speech appeared to be well received, and application was afterwards made to me for permission to publish it; but as I had spoken without notes, I had myself to be content with the newspaper reports. I afterwards, on invitation, visited Boston, where I spoke on the same subjects to large audiences.

On February 18 I was the guest of the Lotos Club. Considerably over one hundred members were present, and the chair was occupied by Hon. T. Jefferson Coolidge, at the present time His Excellency the American Minister at Paris. As explained to me, the gathering included the great journalists, the artists and musicians, many of the leading members of the professions, and was altogether thoroughly representative. In reply to the toast of my health I spoke amidst much cheering for nearly an hour. I thought it best to take up a bold position. After dwelling upon the vast strides which the great Commonwealth was taking in wealth, science, and material prosperity, I ventured to warn Americans against the danger of losing sight of the stern maxims of the founders of the Union. I then passed on to the ties between England and her noble offspring, and ex-

pressed the hope, amidst loud cheering, that they might grow stronger and closer, under the nurturing influence of justice and peace and kindred aspirations. When I sat down the whole company sprang to their feet and sang the National Anthem of the old country, and they sang it as I had never heard it sung before. There was a spontaneity and a genuine warmth in their popular rendering of 'God save the Queen' which made it abundantly clear how these American hearts beat towards England and their scattered kin in England's colonies. During my stay in America I had several opportunities of learning the sentiments of influential citizens in their private intercourse on international subjects. One leading merchant, the Chairman of the Chamber of Commerce in a large city, expressed himself as strongly attached to the principles of the British Government, and was eloquent in his admiration of Queen Victoria; and in other instances I heard similar feelings earnestly expressed. A great lawyer with a world-wide reputation frequently gave utterance to his belief that the English-speaking peoples throughout the world would yet come together in the peace-interwoven bonds of one grand empire. Among no class did I ever hear a word of hostility to England; but then I did not come in contact with the class known chiefly for its anti-British hatred.

I was entertained at the palatial offices of the Equitable Insurance Company, where the gathering included ex-President Grant, Councillor Depew, and many distinguished men. General Grant, who sat next to me, had occasion to speak, I think in reply to the toast of his own health. I was very curious, as his fame had reached me as that of a silent man. He did not rise from his seat, but spoke for six or seven minutes with quiet fluency, and in clear finely-cut sentences of common sense, making a complimentary reference to Australia and to myself. The company

seemed delighted and cheered the General very warmly. Afterwards I went *down* in the same *lift* with the great soldier and statesman; a little newsboy with a bundle of papers under his arm squeezed rudely up against him, but the 'Saviour of the Nation,' with the faintest break of a smile on his face, puffed away at his cigar. 'I am only a simple citizen like the rest,' he had said to me an hour ago. A day or two later I sent him some papers about Australia, and received in acknowledgment the following letter:

New York City, February 16, 1882.

Dear Sir,—Please accept my thanks for the volumes you have been kind enough to send me by the bearer of this note. I accept also the inscription which you have been so kind as to write in one of those volumes, and will preserve it in memory of Sir Henry Parkes, and my first meeting with the first official of the new empire springing up in the Southern Hemisphere. I hope our first meeting will not be the last, and that you will live to see the development which New South Wales and all of Australia is so abundantly capable of.

With great respect,

Very truly yours,

U. S. GRANT.

The Hon. Sir Henry Parkes.

Dinners were given to me at several of the clubs and by private citizens in New York, among others by Mr. Henry Day, an eminent lawyer, and by Dr. Hammond, who had held a distinguished post on the Medical Staff of the Federal Army. I met at these hospitable tables Mr. Hamilton Fish, formerly Secretary of State, General McClellan, Mr. John J. Astor, Mr. Evarts, late Secretary of State, General J. R. Hawley, Mr. George W. Childs of Philadelphia, Mr. Jay Gould, Mr. Vanderbilt, and many others.

I made my second visit to Washington late in February, being specially introduced to Colonel Berret, on whom I relied for advice and information, and to

whose courtesy and attention I was much indebted. Miss Parkes accompanied me on this journey. We stayed a day at Philadelphia, on the way, to dine with the Hon. John Welsh, where among many eminent persons we met Professor Francis Wharton, LL.D., and several Judges of the Supreme Court. I had letters to the English Minister, Mr. Lionel S. Sackville-West (now Lord Sackville), who showed both my daughter and myself the utmost courtesy. The Minister took me to the Department of State, and in the absence of Mr. Frelinghuysen, introduced me to the influential Under-Secretary, Mr. Bancroft Davis, who, I was assured, was the Department. I suspect this conventional repute was merely a compliment to Mr. Davis's great ability and experience in dealing with the business of the vast Department. I found Mr. Bancroft Davis a gentleman exceedingly agreeable, who evidently possessed a large knowledge of public affairs. We spoke very fully on the two questions with which I was principally charged—the maintenance of mail communication by a direct line of steamships between Australia and the United States, and the American import duties on Australian wools, and he appeared to me, as did indeed the Secretary of State, whom I afterwards saw, to view both subjects with a frank and open mind, certainly with no adverse prepossessions. I had many interviews with members of the Senate and the House of Representatives on the questions so much occupying my mind, and I was surprised to find the large number who not only took a deep enquiring interest in Australian progress, but who evinced a distinct leaning to the policy of Free-trade. A member of the House took my copy of the current number of the 'Congressional Record,' and marked the names of those who held these views, and the extent of the list much surprised me. At an evening party given by the Secretary of State and Mrs. Frelinghuysen, I met General Sherman, General Sheri-

dan, and other heroes on both sides of the great Civil War. I well remember General J. T. Morgan, of Alabama, and his wife and daughters, who called upon us at our hotel the following day. The General had bravely fought in the Confederate cause, but his conversation afforded abundant evidence of the genuineness of the reconciliation which had followed in the terrible path of the war. Among others to whom my gratitude is due for civilities during our pleasant days at Washington, I must not omit the name of the Honourable George B. Loring, the Minister for Agriculture. Mr. Loring spared no pains to make me acquainted with the organisation and ramifications of his instructive department, and I gathered from him much valuable information.

I was taken to the White House by Colonel Berret, who was an old personal friend of the President's. We passed on unquestioned until we reached the reception room of the President, which we entered without ceremony. It was early, and General Arthur had not come. At the end of the room there was a group of three or four men in energetic conversation; on a sofa opposite to us were seated two ladies in morning dress, and the third was on her feet in lively chat, the three being in open possession of sketching materials; wandering about the room was an old couple in countryfied habiliments, with an awkward-looking lad about twelve years of age. 'Who are those gentlemen?' I enquired of my companion. 'Oh,' said he, 'that showy-looking one is a Congressman; the others, some of his constituents who want a job done. 'Well,' I again enquired, 'who are the ladies?' The answer was, 'They are some ladies who want to draw the President's portrait.' 'Who are the old people and boy?' I asked. 'They are only some country people,' he replied, 'who want to shake hands with the President.' General Arthur came in quite unannounced:

he instantly recognised me from meeting me at Mr. Field's dinner, and shook hands very cordially. We conversed for some minutes on the topics of the day, when I asked for an appointment to introduce my special business in connection with Australia. I happened to say that I should not need more than twenty minutes of his time. 'Twenty minutes!' he exclaimed; 'why, I have not had twenty minutes to call my own since I came here.' He appointed four o'clock in the afternoon for me to see him again. I went back to the White House punctually, but President Arthur's room was more crowded than it was in the morning. I saw him a day or two afterwards, and fully explained the object of my mission to Washington.

We proceeded from Washington by way of New York to Boston. From this city I had received the following invitation, and we had friends in the Brookline quarter who had invited us to make their house our home:—

Sir Henry Parkes.

Merchants Association, Boston,
February 14, 1882.

Dear Sir,—I do not know if you propose to visit Boston, but I can assure you that this is the centre of the wool trade. Boston's market is the largest in the country; here are the largest mills, corporation offices, &c. Concluding that you will come here, and hoping that it may be convenient, I herewith send you a cordial invitation to be present at the next monthly dinner of the Association, which will take place on Saturday, February 25. Any address that you would make then would be fully reported, and would attract, I assure you, the attention of the men you most desire to reach. The membership of the Association is composed of the commission houses in dry goods, woollens, clothing manufacturers, wool dealers, &c., and a great many mills are represented. On behalf of the committee I can guarantee you a cordial reception and an influential audience.

Hoping that you will arrange so as to be present, and requesting a reply at your earliest convenience,

I am, with much respect,

Your obedient servant,

HERBERT RADCLYFFE.

Chamber of Commerce.

I arrived in sufficient time to dine with the Boston Merchants Association on February 25. The card for the dinner announced, 'The subject for consideration, after the eatables, will be American trade with Australasia.' There was a large assemblage of mercantile men, and the proceedings were marked by evidences of much public spirit and enterprising intelligence. I spoke for nearly an hour, advocating the removal of the import duties on Australian wool, and the sound policy of supporting the line of steam communication already established between San Francisco and Sydney. I dwelt upon the advantages which America derived from the Trans-Pacific Mail Service, which was maintained by a subsidy to which she did not contribute a single dollar; and then passing on to the subject of the duties, I pointed out that while New South Wales in particular threw her ports open to the products of the United States, she imposed heavy duties on the admission of Australian wool, which was indispensable to the manufacture of her finest woollen fabrics. The large and influential gathering appeared to be in unison with the views I endeavoured to enforce. During my visit to Boston I had many conversations with gentlemen interested in the Australian wool trade, as the gentleman in whose charming house I stayed was a large importer of our finest staples, and introduced me to many of his friends.

While in Boston I visited Cambridge and the Harvard University, and with many others looked anxiously at the house of Longfellow, where the poet was lying on what proved to be his deathbed. I had a letter of introduction to Mr. Longfellow, and, not knowing at that time the serious character of his illness, I sent my letter to the old English-looking house, and received in acknowledgment a note in a lady's handwriting, and signed by the poet, regretting that under the injunction of his medical attendants he could not see me.

The signature must have been among his latest. The poet died on March 24.

No one gave up more of his time to Miss Parkes and myself while we were in America than Sir Roderick W. Cameron (whose acquaintance I had formed in Sydney) and members of his family. Sir Roderick was the pleasant medium of many introductions, and his personal knowledge of Australia and intelligent interest in her progress were of much use to us. We naturally lost much by the hurry we were always in. In Canada, for example, our visit was straight to Ottawa and back. I should have much liked to have seen something of Ontario, which appeared to possess so many features in common with New South Wales, and the following letter from the Governor, addressed to Sir Roderick Cameron, shows that my visit would not have been unwelcome:—

Government House, Toronto,
February 14, 1882.

My dear Cameron,—As in all probability you will meet with Sir Henry Parkes (Premier of New South Wales), pray tell him how sorry we all were in Toronto, that passing so near to our city he failed to pay us a visit.

Our Legislature here is in Session, as is the House of Commons in Ottawa, and from the very prominent part he has taken in the legislation and government of New South Wales, a visit to these Parliaments might interest him. Did I know his address in the States, I should write him myself, but if you do see him, tell him how glad I would be to welcome him to Government House, where, after remaining for some time, he might go on to Ottawa and enjoy himself there.

I remain,
Very faithfully yours,
JOHN BEVERLY ROBINSON.

We went to Ottawa on the invitation of the Marquis of Lorne, and were his guests for three or four days. The Dominion Parliament was in Session, and Lord Lorne invited Sir John and Lady Macdonald and other

leading men and their wives to a dinner and evening party to meet us. But beyond two or three visits to the House of Commons, and inspections, with the Governor-General, of schools and public institutions in the city, we were denied, by our limited time, the advantage of learning much of the country. To add to our disadvantage the ground was covered with a thawing snow. We could not even stop a few hours to look at Montreal.

On returning to New York we had to prepare for our trip across the Atlantic. Our passages were engaged on the White Star steamship *Germanic*, commanded by C. W. Kennedy, Esq. We had a large number of passengers, and the voyage on the whole was favourable. Captain Kennedy, with whom I travelled again from Liverpool to New York in 1884, was as fine a specimen of the true British sailor as I ever met.

I arrived in Liverpool on March 20. Sir Saul Samuel and Mr. Sheriff Ogg were there to meet me. On the following morning I proceeded with them to London. The country all the way looked charming, and the neatly-kept fields and winding lanes, the comfortable farmhouses and country mansions, presented a picture of new delight to the inexperienced eyes of my Australian daughter. Mr. Ogg, an Australian merchant, whose house became the home of Miss Parkes and myself in London, had lately been chosen one of the sheriffs. His hospitality during our stay in England was unbounded. If I dwell briefly on the reception I met with, I trust I shall be credited with the desire of showing the cordial recognition of the importance of the land I was supposed to represent, and not with that of recording the respect paid to me personally. Before I left America I received several invitations to dinner in London and a flattering invitation to Farring-

ford from the Poet-Laureate. Two days after my arrival I was entertained by Sir Daniel Cooper, who had invited to meet me, the Earl of Kimberley, then Secretary of State for the Colonies, the Duke of Manchester, the Marquis of Tweeddale, Sir Archibald Alison, Sir Lintorn Simmons, Sir Alexander Galt, Mr. Chenery, editor of the 'Times,' and a number of other distinguished men. During the next several weeks I was the principal guest at many similar dinners, given among others by Mr. Gladstone, the Earl Granville, the Earl of Carnarvon, Lord Sherbrooke, and the Lord Mayor. I first met Mr. Gladstone at Lord Sherbrooke's. When leaving Sydney I obtained some letters of introduction from the Governor, Lord Augustus Loftus, one of which was addressed to Mr. Gladstone. I sent this letter through the post and received an acknowledgment from the Prime Minister's private secretary, from which I quote the following: 'Mr. Gladstone is obliged to you for forwarding to him Lord Augustus Loftus's note, though any letter of introduction regarding yourself was not necessary. I am to say that Mr. Gladstone hopes during this very week, notwithstanding the extremely busy nature of it, to have the pleasure of seeing you next Friday evening at Lord Sherbrooke's.' I met Mr. Gladstone accordingly on the sixth day from my landing at Liverpool, and, as Lord Sherbrooke told me afterwards, he placed me on the right of the great statesman to enable us to engage in conversation. We talked for nearly two hours, chiefly on Australian topics, and I recollect very vividly his animated enquiry as to whether many of the young men of the country entered the Church. I had the privilege of conversation with Mr. Gladstone several times afterwards in different places, one of which was his official residence in Downing Street, where I was received at dinner and, before leaving England, at breakfast. At Mr. Gladstone's I met the Duc

d'Orleans, Mr. Henry Irving, Dean Church, Viscount Baring, Sir Thomas Acland, Mr. E. Lyulph Stanley, and others.

I think I may say that I never lost an occasion where I could serve the cause of Australia in the many public situations in which I found myself. I believe the dinner of the year next in importance to that of the Royal Academy is the great dinner of the Institution of the Civil Engineers. This dinner took place at Willis's Rooms on April 1. Among the numerous guests were the Duke of Cambridge, Sir Michael Hicks-Beach, Lord Bramwell, the Earl of Derby, Sir Hardinge Giffard, Sir Astley Cooper Key, the Earl of Northbrook, Earl Percy, Count Bylandt, Sir Frederick Campbell, and many celebrated men. Lord Armstrong was in the chair, and among the great engineers present were Sir John Hawkshaw, Dr. Siemens, Sir John Fowler, Sir J. W. Bazalgette, and Sir Andrew Clarke. I was set down to respond to the toast of 'The Colonies,' and delivered the following short speech:—

The manner in which this toast has been proposed, and the cordial manner in which this distinguished company has received it, go far to fill me with fear that I shall very inadequately respond to-night for the colonies. But the toast means the prosperity of some eight millions of men and women who are just as much the subjects of their Sovereign as any men or women living within these shores. The gentleman who proposed this toast said, if I caught his words correctly, that the colonies were doing much to prepare themselves for their inheritance of self-government when the day arrived for them to receive it. We have lived under the delusion for nearly thirty years that we possessed self-government. At all events we have exercised all the rights and privileges which self-government confers. Out of the eight million colonists, at least seven millions of us are as free to govern ourselves as the people of England are free; and certainly there are no braver, no truer, no more loyal subjects of the Queen than the men and women who inhabit our colonies. I can say little for the great countries forming the Dominion of Canada. I have

visited Canada, but have only been able to take a glance at that country under circumstances not very favourable to observation. I know nothing practically of the colonies of Africa, and am not sorry personally that I know little of them. The colonies with which I am familiar by forty years of experience are the six colonies forming Australia, and I venture to say in this great and intelligent company that in Australia the British race have before them an experiment in working out British institutions under circumstances more favourable than in any other part of Her Majesty's dominions. We are removed from all possible hostility from other nations. We live on a rich and capable soil, varying so much as to be capable of producing everything which Europe can produce, and almost everything of tropical growth. And we live in a climate favourable to the advance of our race and favourable to the long continuance of life. We can have no enemies if we are wise enough to be peaceable amongst ourselves. We are free from all the errors of the older civilised States of the world, while we have just as much as you possess of the rich inheritance of all scientific achievements and literary performances—in one word, the inheritance of all the glories and all the learning of the old land from which we have sprung. We have now planted—with the consent, I presume, of all portions of the Empire—free institutions amongst us, and we have all the advantages to which I have briefly adverted to guide us in the right use of those institutions; and whatever dim stories may reach the ears of Englishmen, we are anxious to preserve the true spirit of those institutions, and to unite ourselves firmly and permanently to the old land which we hold in so much reverence. But I venture to say here before distinguished members of Her Majesty's Ministry, and before other distinguished men who may be in their place in a short time, that the more we are left alone the more closely we shall cling to our august mother; that the softer the cords the stronger will be the union between us and the parent country. I for one have no anticipation of the day when there will be any desire for change amongst us from the position we now occupy as part of the grand old Empire which I believe is destined to carry freedom to all parts of the habitable globe. I would like to say one word more pertinent to the special character of this great gathering. Australia is a vast and as yet an almost untried field for the labours, the enterprise, and the triumphs

of engineering genius. Our harbours have to be made, so far as artificial means are necessary, to fit them for commercial purposes. Our rivers have to be spanned with bridges, our vast territory has to be pierced with railways, our coasts to be lighted, and in some places to be guarded from the ravages of the ocean. In every direction there are rich fields for the Civil Engineers of England, and if this is the first time that the toast of 'The Colonies' has been proposed at your annual meeting, I can see no reason why it should be the last. It seems to me that if any special class of Englishmen have an interest in the outlying portions of the Empire which are called the Colonies, it must be the Civil Engineers of England. It seems to me that on an occasion of this kind the toast is singularly appropriate. I shall not detain you longer on behalf of the Colonies, especially of those which I may, perhaps, be permitted to say I fairly represent. I thank you most sincerely for the manner in which you have recognised their importance. One word only in addition. The next very few years, the next decade, will give to that group of Australian colonies an importance, an attitude of national grandeur, which will surprise England, and will surprise the world. Their growth will be amazing, but, as I have already intimated, I for one firmly believe that the great desire is that that growth should be in union with the Empire.

On April 28 I received a complimentary banquet at Willis's Rooms, which was described as 'one of the most brilliant colonial gatherings ever held in London'; about 250 gentlemen were present, including representatives from nearly every part of the Empire. His Royal Highness the Duke of Edinburgh occupied the chair, and was supported by the Earl of Kimberley, Viscount Sherbrooke, the Lord Mayor (Sir J. W. Ellis), Sir John Rose, Sir Donald Currie, Sir Henry Barkly, and a large number of members of the House of Commons. I give my speech in full as reported. One passage in it gave rise to some carping criticisms at the time; but writing ten years afterwards (1892) I adhere to the sound sense of the words: 'No mistake can be greater than for Englishmen who stay

at home to think that they can instruct the colonies in the work of colonisation.' Lord Kimberley, who followed me, offered a kind of mock apology for appearing as 'a representative of a used-up old country'; but I cannot admit that there was anything in my words to justify his lordship's unreasonable taunt. Neither then nor at any time had I attempted to undervalue the greatness of the mother-country. But there are no professors of the axe and spade in the noble work of preparing the untrodden wilderness for the habitation of man. Those who accomplish the work must devise the methods for themselves in the midst of the toil. And the maxim applies not only to the new conditions in the physical world, but to every step in the untracked path of Empire in laying the foundations of the future nation.

Your Royal Highness, my lords and gentlemen,—I suppose there is no human life so desolate but that to the sense or the memory it possesses riches far more precious than gold or silver. My life has certainly not been amongst the most sunny or the most tranquil. I say nothing of the burden of labour, for labour is a source of pleasurable satisfaction. Nor do I speak of the trials or difficulties, because they are necessary to test the stuff of which men are made. But my life has been chequered by great mistakes, and by false estimates of men and things, which I do not wish to forget, and which I only remember with many bitternesses of feeling. It is, then, no wonder that this great welcome at your hands to-night almost unnerves me. Conflicting memories crowd upon me; I am reminded of responsibilities and duties unfulfilled, and altogether I am overpowered by what to me a month ago was a most unexpected warmth of welcome in this great city of London. Admitting, then, that my services, whatever they may have been, have not been perfect, I think I may interpret this splendid recognition of those services as implying that, after that winnowing which keen observation and adverse criticism apply to a public life, there is sufficient grain to justify the reception which you have so cordially awarded me. His Royal Highness has been good enough to remind you of a time which,

of course, is present to my mind to-night. There is sitting on my right a distinguished statesman who formed my acquaintance I do not know how many years ago—I should not like to tell even this company—but when I was an unknown and struggling young man ; and perhaps I may be permitted for a moment to tell you, what I am sure will not be disagreeable to Lord Sherbrooke, and will be new to some colonists, that the first real constitutional battle fought in Australia was fought in Lord Sherbrooke's person. It was this, and you will appreciate it when I explain it. In our infant representative system the people of Sydney were weary of a personal combination that held the representation of the city, and we seized upon Mr. Robert Lowe—not that we loved him over much—but because we thought he was the man to fight our battles. Mr. Lowe had already committed himself to another candidate, and altogether declined to become ours, but in spite of this refusal we elected him for the city of Sydney, and this certainly was the first time in Australia when the citizen spirit came out irrespective of all other influences. It was very gratifying to me when I arrived in London to find among the first men to call upon me was Viscount Sherbrooke, and I have great pleasure in telling you that Lord Sherbrooke does not appear to have forgotten his connection with Australia.

There are in this company many distinguished men connected with the colonies of Great Britain, and so far as I can form an opinion they have with a generosity which surprises me suppressed all feeling of rivalry and of personal jealousy, and have come here to-night—I hope I am not too sanguine in this estimate—to give me a welcome in the name of the whole of the colonies. His Royal Highness was slightly in error in saying that I had been in office fifteen years. It is, I think, very nearly that time since His Royal Highness found me in office in Sydney. But in New South Wales, as in England, men do not continue in office for ever—and they are obliged to stand aside occasionally for other men. We do not always think they are better men. I suppose, in England it is never doubted that the succeeding men are the better men. But I have been Colonial Secretary for upwards of nine years, and I have been Premier altogether nearly seven years. It is twenty-eight years since I was first elected to the local Legislature, and, of course, with

twenty-eight years of Parliamentary life, and nine years of official life, admitting my sins, as I freely do, I should be a much worse man than I believe myself to be if I had not offended a great number of people. I do not believe, in this world, in people who have no enemies, and although I have gone through some twenty-four elections, I never was allowed to walk over the course. I am rather proud of that, because hitherto I have always been prepared to fight when there was occasion for it, and it did not matter whether the occasion was created by me or by others. Well, after that length of service—and I suppose it is length of service which has so identified me with the colonies that I now receive this welcome at your hands—I say, after that lengthened period of service, it cannot be otherwise than deeply gratifying to me that, never surrendering my opinion, never fearing to face odds, never stopping to calculate consequences, I have still succeeded so well, with all my faults, as to stand here to-night and be greeted with your warm applause.

During my time I must, of course, have dealt with many questions that determine sides in political warfare. I have been the principal actor who dealt with the vexed question of public education. It has fallen to my lot to deal with that subject on two separate occasions fourteen years apart, and I certainly dealt with it in a way to awaken the opposition of a large and powerful section of the community; but I think I dealt with it by the assistance of Parliament so as to give satisfaction to nearly every family in the land, and certainly in a manner which is supplying a sound primary course of instruction to every child in the colony. It was my duty to deal with the question of the amendment of our representative system. It has been my duty to carry measures to establish local self-government, and one of the last measures which were dealt with at my hands was the Bill to regulate the traffic in intoxicating drinks. This question alone suggests hosts of enemies, and again I say, if in dealing with these prickly things I come out with a tolerably whole skin, I cannot help thinking that I must have performed some enduring service. But I shall say little more of my personal experience or of the colony I represent. You have been told by various voices that New South Wales is a Free-trade country. In connection with this I desire only to say that in my efforts—whether in power or in opposition, whether as a

Minister or a member of Parliament, or a citizen—I have striven, often amidst mistakes, to keep steadily in view the example of the mother-country, not slavishly copying all that the mother-country was doing—and I hope I shall offend no one by saying that I should be sorry to copy all that the mother-country is doing—but trying to lay hold of those great foundation principles which are at the centre and the bottom of the Constitution, trying to be warned by the divergencies which have taken place from those central principles, trying to preserve the purity of our infant Parliament, and to keep it clear from the entanglements of the Executive Government, and trying to raise our Civil Service to a position of purity and integrity, so that no consideration except a question of merit should weigh in cases of promotion. I have tried to emulate the best parts of the public life of the mother-country, and if it be that the commercial policy of New South Wales is more in accordance with the commercial policy of England than that of some of the other colonies, it is that, to my mind, it is undeniable that every man in acquiring property by his labours has a right to expend that property in what suits him best without the interference of any legislation whatever. The principle seems to me a very simple one, that if labour—whether of brain or muscle—is turned into money, the possessor of that money has a right to spend it in his own way to procure what he likes best, and, whether mistaken or not, to secure what he thinks most conducive to his own happiness. That, then, is the principle which I have tried to enforce in the legislation of New South Wales, and events show that the electors of the country coincide with me in believing that principle to be sound. I shall pass away now from New South Wales and speak of Australia as a whole. It is due to those distinguished gentlemen who represent the different colonies that I should open up no question of controversy, and I trust in the few words I have said that I cannot be accused of doing so. We are content with the result in our case. I hope they will be content with the result in theirs. But if I may be permitted, I will, for the moment, assume the representation of the whole of the Australian colonies. I am sure I shall not be misunderstood. I only wish to speak of all rather than of a mere section. I can say nothing of value of the other colonies, of which I have no personal knowledge, but I would like to say a few words about Australia. The colony

of New Zealand—which, in speaking generally, I think should always be classed with the Australian colonies—contains an area of 105,342 square miles. Add that to the great island-continent known as Australia, and we have the great area of country of 3,127,588 square miles—a territory which you will see at once may be said to be equal to the United States, or to the vast possessions of the Canadian Dominion. I think there is a little excess in both those cases, but no excess worth speaking of. It will thus be seen that, in the language of the poet, ‘life has ample room in Australia.’ When I first went out to New South Wales the population of this vast territory was no more than 200,000. I have seen it expand to very nearly 3,000,000, which is the population of to-day. At the end of 1880 the population was returned at 2,750,000, but at the present moment it closely approximates, as I have said, 3,000,000. In this country our trade in thirty years rose from a value of 6,000,000*l.* sterling to 63,000,000*l.* In the year 1871 the total value of our trade stood at nearly 64,000,000*l.* sterling; in the next ten years it rose to 94,000,000*l.* sterling. The average of our trade for every inhabitant is 12*l.* higher than that of Great Britain, five times higher than that of Europe as a whole, and five and a half times higher than that of the United States. In thirty years the gold extracted from our earth amounted to 292,000,000*l.* sterling. In 1870 our wool crop amounted to 193,000,000 lbs., in 1879 it was 392,000,000 lbs. In 1880—that is the last year up to which our returns are properly made out—the shipping entered and cleared at Australian ports was 85,000,000 tons. The trade for every inhabitant was of the value of 35*l.* 2*s.* 7*d.*—I am speaking of the whole of the Australian colonies; and the debt, 33*l.* 0*s.* 8*d.* per head, but this debt—this joint debt, I should say—has been incurred for works of a remunerative character, for works essential to opening and settling the country. Hence, then, we have as an asset against our loans not less than 6,000 miles of railway, besides docks, lighthouses, bridges, and works of that description, all necessary to the population of a new country, besides the works of military defence, to which allusion has been made this evening. It will thus be seen that our debt has been contracted for great national purposes—for works which are to a large extent clearing their way, and will be in a few years a source of income. I have sometimes heard that the security of the public creditor is our territorial lands. The security is a population

capable of paying fair taxes, and the lands would be of no value at all unless we succeeded in settling an industrious population upon them to turn them to account. The machinery of government often is as costly for a million of people as for two or three millions, but the revenue justly derived from two or three millions would, of course, be double or treble that obtained from one million; so that the way to pay our way is to get an industrious population, and the way to get that is to make the country fit to live in, by steadily meeting the necessities of civilised life, and that the Australian colonies are fast doing. In Australia, at the present time, we have no fewer than $1\frac{1}{4}$ million of horses, $8\frac{1}{4}$ millions of horned cattle, and certainly not fewer than 75 millions of sheep, and, though agriculture has not made equal advance with pastoral occupation, we have some $6\frac{1}{2}$ millions of acres under agricultural crop. Hence, then, you see at a glance the importance of these Australian colonies. Fifty years ago the poet Campbell wrote some lines on the departure of emigrants to New South Wales, which do not appear to be very well known, but they are very prophetic. I remember these lines occur:—

Delightful land! in wildness even benign,
The glorious past is ours, the future thine,
As in a cradled Hercules, we trace
The lines of empire in thine infant face.

Well, this young Hercules has left his cradle, he is advancing to the position of empire which is assigned to him, and depend upon it he will go on growing and gaining strength. If the period over which I have travelled has shown a surprising advance, the period which is coming upon us will exhibit a still more surprising advance. I for one believe that the time is fast approaching when we shall cease to speak of England and her colonies. The time is fast coming when these giant children of the mother of nations will assert power and importance for themselves; but as they grow in strength I for one firmly believe that they will grow in reverential love for the Sovereign and for England. We shall have to throw into disuse the word colonies, for a grand world-circling British Empire will arise, resting upon a hundred isles, lighted by the stars of both hemispheres, containing within its limits the higher developments of its hardy races; and this new Empire, embracing the outlying countries and the old

land, must be united on terms of a just and an enlightened equality. We cannot go on with the mother-country looking upon us as mere outlying plantations; we must be parts really and substantially of the Empire. We are entitled to be so by the soundness of our loyalty and the soundness and wisdom displayed in helping ourselves. No mistake can be greater than for Englishmen who stay at home to think that they can instruct us. Those of the British population who emigrate, as a rule show by their very act of emigration that they have more determination, more enterprise, more self-dependence, than those who remain often to lament their narrowed-down existence in the country of their birth. Those who are born of them in the new countries as a rule are free from all the conditions that young men are subject to at home—they are freer from poverty, more independent, more accustomed to maintain their own, and, above all, they are attached to the soil of their birth; and the two classes make up a population as steady, as intelligent, and as helpful as any in the world, and while we claim no merit above our fellow-countrymen at home, we shall not long be content with a position inferior to theirs. I therefore say, and I say it unhesitatingly, on the part of the Australian colonies, that we are loyal to the backbone, and in spite of hostile tariffs, in spite of local jealousies, which arise out of emulation, in spite of all these things, the ties of blood and of national interests will yet draw us together, the artificial barriers now existing will be broken down, and we shall be one, one in principle and sentiment, and one in our desire to advance civilisation and to work in unison with the mother-country. I have nothing more to say. I thank you for the manner in which you have received the toast. I hope that in the few words I have said I have said nothing to displease anyone. I hope I have been sufficiently plain to make my interpretation of the sentiments of the colonies clear to you, and I trust that whatever the warmth of the welcome I receive in England may be, there may be nothing in the course of my future life in Australia to make any of you regret the share you have taken in it.

On the following day I attended the great banquet of the Royal Academy, and, looking down the official list, I find I was the only Australian present. At the principal table, on the right and left of the President

(Sir Frederic Leighton), there were no fewer than thirteen Royal personages, including the King of the Netherlands and the Prince of Wales. The effect to me was strange to see the great ruling men of the day, Granville, Carlingford, Carnarvon, Kimberley, Bright, Forster, Cairns, Cranbrook, and the Archbishop of Canterbury, squeezed, as it were, to the corners of the table. The Prime Minister (Mr. Gladstone) was absent. The seat assigned to me was number twelve at table D. On my right and left were Mr. Woolner, R.A., and Mr. Oscar Dickson; opposite were Mr. Mundella, Professor Tyndall, and the Lord Advocate. I was charmed by the beautiful ease and grace of the President's oratory. Earl Granville and Mr. Lowell, who was in the diplomatic gathering, also spoke with admirable taste.

After the company had risen, I was walking with Mr. Woolner in one of the saloons with the object of examining some of the pictures, when the Duke of Edinburgh came to me and said: 'My brother desires to see you, Sir Henry.' I walked back with the Duke, and the Prince of Wales came out from the courtly circle surrounding him, and, shaking hands very cordially, at once spoke in acknowledgment of some little attention I had shown to his sons in Australia. His Royal Highness then proposed that we should take a walk among the pictures. I went with the two Princes first to the portrait of the Duke's little daughter, and then to Mr. Gow's picture, 'A Jacobite Proclamation,' which I had proposed to buy for the Art Gallery at Sydney. The Prince took a chair, and sitting down before it, carefully examined the picture for some minutes; and rising, he pronounced his opinion in favour of the purchase. I telegraphed the opinion of the Prince of Wales to Sydney, and in reply I was requested to buy the picture. I met His Royal Highness on several other occasions in London, and he struck me

as possessing in a remarkable degree what I should venture to describe as the princely faculty of doing the right thing and saying the right word.

On May 5 I left London with Mr. Woolner and my daughter for the Isle of Wight, to visit the great poet at Farringford. Mr. Hallam Tennyson met us with the carriage at Freshwater, and the poet himself received us at the door of his beautiful home. We arrived only in time for dinner, and afterwards we retired early to rest. On the following day we had long chats full of anecdotal and critical interest. The poet, his son Hallam, my daughter, Woolner, and I had tea on the lawn, among the laurels. After dinner Tennyson read 'The Northern Farmer.' On the 7th, after breakfast, we walked over the hilly down to the Beacon, about 700 feet above the sea, returning in time for luncheon; in the afternoon we strolled down to the beach. After dinner the great poet read 'The Ode on the Death of Wellington,' which brought out with much effect the sympathetic force and emotional inflections of his voice. The lines :—

Where shall we lay the man whom we deplore ?
Here, in streaming London's central roar,

were rendered with a fine enquiring fervour and a tremulous pause. Then pealed out :—

Let the sound of those he wrought for
And the feet of those he fought for !
Echo round his bones for evermore.

And again in tender and solemn apostrophic strain :—

O, good grey head which all men knew,
O, voice from which their omens all men drew,
O, iron nerve to true occasion true,
O, fall'n at length that tower of strength
Which stood four-square to all the winds that blew !

And with the breath of heroism in every syllable the oft-repeated lines were spoken :—

Not once or twice in our rough island-story,
The path of duty was the way to glory !

We talked much about Australia, and indulged in gossip about celebrities of present and past times. And so my second golden day faded into soft slumber and rest.

On the 8th I had another morning stroll with the poet. In the afternoon, Tennyson, Woolner, Miss Parkes, and I drove down to Alum Bay, where we took a boat and pulled round the Needles and into a sea-cave which seemed to be familiar to our host. We returned a little late for dinner. In the evening the poet read 'Guinevere'—forty-one pages in the Library edition of 1873. The reading occupied about thirty-five minutes. While assembled on the lawn in the forenoon we had received the post from London with the 'Times,' containing the account of the murder of Lord Frederick Cavendish and Mr. Burke, and the shock had cast a shadow of grief over the whole day. The morning of the 9th brought the close of our delightful sojourn at Farringford. In the morning, Woolner and I had another stroll with the Poet-Laureate through the woods and fields. After an early luncheon our little party returned to London *via* Cowes and Ryde, Mr. Hallam Tennyson seeing us on board the steamer.

On the morning of the 10th Miss Parkes and I breakfasted with the Earl and Countess of Carnarvon in Portman Square, where I first met Mr. J. A. Froude. I had been in communication with Lord Carnarvon for some years, first, while he was Secretary of State for the Colonies in the Derby Ministry, when I had occasion to write to him confidentially in connection with the annexation of Fiji, afterwards in London and at Highclere Castle; and I had profited by his rich stores of information and the just views of public affairs which emanated from his finely-balanced mind. He was regarded in many respects, by the best-informed men in the colonies, as a true friend of Australia.

Soon after reaching London I renewed my acquaint-

ance with the personal features of Parliament. Twenty years had made startling gaps where I last saw the figures of Lord Palmerston, Sir George Lewis, Lord John Russell, Mr. Cobden, Mr. Disraeli, and Mr. Bernal Osborne. I recollect a friend telling me of his impression when, after the long sea voyage from Sydney, before the advent of the electric cable, he strolled into Westminster Abbey, and read for the first time that Lord Macaulay was dead!

I went to the House of Commons from Sir Daniel Cooper's dinner a little before midnight. Having made my way with some little difficulty to the glass-door near the stairs which lead to the Strangers' Gallery, I could see Sir William Harcourt speaking, and I knew the subject was the Closure resolutions of the Government. I handed my card to the officer in charge of the door, and asked him to be kind enough to send it in to Mr. Bright, whom I could see sitting on the Treasury Bench next to Mr. Gladstone. I stood waiting two or three yards away with my eyes fixed on some object which had attracted my attention when a gentleman in black with his hat set firmly upon his head, came up and looked at me for a moment with surprised eyes, and then said, 'Don't you know me?' It was Mr. Bright himself; but, though I had been in his company several times in 1862, I did not at first recognise him. He seemed of smaller stature, and his hair, instead of being dark as I knew it, was white, and there was a subdued look of power and suffering in his face. He did not look the same as he did sitting in the House. Such was the change which twenty years had brought to that noble personality. Mr. Bright escorted me to a seat in the Speaker's Gallery, and expressed a hope to meet me again soon. I heard Mr. Bright himself in the same debate, and I listened with surprise arising from very different feelings to the singularly bitter but brilliant attack made upon him as soon as he sat down by Mr.

Sexton. I was surprised that Mr. Bright's great services in the cause of Ireland should be so completely forgotten, and I was surprised at the unexpected display of eloquence and power by his assailant. I mentioned the attack to Mr. Gladstone a day or two afterwards, and his reply was, 'Mr. Sexton is a very able man.'

My engagements were so numerous that I did not see so much as I desired to see of the proceedings of Parliament. But I heard Mr. Gladstone make his Budget speech—probably the last Budget speech from him. There was none of the oratorical mastery of arrangement, and none of the wealth of illustration which marked his former financial efforts; the qualities that struck me were clearness of statement and direct business skill in details. The speech did not make much stir either in the House or in the Press.

I frequently met members of the House of Commons at social gatherings—Mr. W. E. Forster, Mr. Chamberlain, Mr. P. H. Muntz, Mr. Courtney, Sir Wilfrid Lawson, Sir David Wedderburn, and many others—and with some I had short conversations of much interest. The subjects which were most frequently started were popular education, the Temperance cause, the working of payment of members, and the action of the Irish in Australian politics.

My daughter and I visited Birmingham as the guests of the Mayor, Mr. Avery, to be present at the opening of the Central Free Libraries by Mr. Bright, who also was the guest of the Mayor. Miss Parkes and I were driven in the same carriage with Mrs. Avery and Mr. Bright to the Town Hall, which enabled me to observe the almost reverential respect with which the great Tribune was regarded in the streets. The speech to the vast audience in the Town Hall was shorn of the fiery splendours of early days—was gentle and subdued in tone almost to a fault; but it was received with a storm

of affectionate cheering. He told a charming story of a student of 'Paradise Regained,' at a fishing village where he had once gone to enjoy his favourite sport; and it might have been almost inferred from other of his words that he preferred the lesser of Milton's great poems to the 'Paradise Lost.' After the great meeting we went through the new buildings, where a brilliant gathering had collected, including Mr. Chamberlain, and where their distinguished member seemed to make himself quite at home.

We returned to London in the same carriage with Mr. Bright, and we deeply enjoyed the quiet humour and choice anecdotal turns of his conversation. I met him very often and always felt that I was in a purer atmosphere when in his company. His third colleague in the representation of Birmingham at this time was Philip Henry Muntz, whom I well remembered in the agitations of the first Reform Bill in 1831-2. Both are now gone, with Thomas Attwood, George Frederick Muntz, Joshua Schofield, William Schofield, and poor old Richard Spooner, who used to appear to my boyish mind the oldest man in the world.

I had made up my mind to spend a few days on the Continent—I knew it could only be a few. I had letters from Earl Granville to Lord Lyons, Lord Amthill, and Sir Savile Lumley. We started for Belgium on June 4; dined at Brussels and journeyed to Antwerp the following day; were much surprised at the excellence of the quays and docks constructed under the influence of Leopold II. We spent an hour in the grand cathedral, looking at Rubens' pictures.

On the 6th we went on to Ghent, where we inspected Van Hoequerden & Co.'s cotton factory, employing 140,000 spindles and 1,000 looms. On the following day at Liège we visited the Sclosson ironworks, and were shown over a firearms factory where every stage in turning out a rifle was exhibited. We were enter-

tained at luncheon by the manager of the John Cockerill ironworks, and had the operations of that vast establishment carefully explained to us, from the mine to the finish of the marketable article. We also visited the Val St. Lambert Glassworks as well as other places.

On the 10th we had luncheon with the King and Queen at the Laeken Palace. His Majesty expressed himself as much interested in the progress of the Australian colonies, and in the course of conversation he pointed out some embellishments of the Palace which were ordered by Napoleon. M. Frère-Orban, the Prime Minister, and the Minister for Foreign Affairs were present. On the following day we paid a visit to the field of Waterloo, passed through the museum of relics in charge of Sergeant-Major Cotton's niece, gathered some rosebuds and clover blossoms from the plain so richly fertilised by heroic blood, and returned to Brussels with Byron's majestic lines pealing upon our ears :—

There was a sound of revelry by night,
And Belgium's capital had gathered then
Her beauty and her chivalry, and bright
The lamps shone o'er fair women and brave men ;
A thousand hearts beat happily.

And there lay my rosebuds and blossoms of red clover.

We spent the following day in the Charleroi district, giving most of our attention to the extensive glassworks. On the 13th we left Brussels by early train for Berlin. The journey in many respects was full of interest to the tourist, but that is a kind of interest which hardly belongs to these pages. Contact with Custom-house officers on entering France or Germany ; the marching of soldiers along rural roads and across fields ; the harnessed dogs compelled to bear their share of work in small waggons ; the new manufactories

springing up in green country places; the strange motley crowd in Cologne Cathedral, might be made to do handsome service in a book of travels. But I must pass on.

We arrived at Berlin at 10.30 P.M., and drove straight to the Kaiserhof. From our hotel we might almost throw an apple into Prince Bismarck's courtyard. On the following morning I called upon Lord Ampthill, who was extremely courteous and obliging during our whole stay in Berlin. The same day we received an invitation to lunch with the Crown Prince (the late Emperor Frederick) and the Crown Princess, at the Neue Palais. Our first day was spent in driving over the city and looking up one or two old acquaintances.

On the 15th we went by train to Potsdam. The Imperial carriage was waiting for us at the station, and we drove at once to the noble mansion in which Frederick the Great indulged his architectural fancies. Count G. Seckendorff received us; some ladies and gentlemen were in the saloon to which we were conducted, among whom was Prince Christian. In a short time the Crown Prince came in, followed in a minute or two afterwards by Her Imperial Highness the Crown Princess (England's Princess Royal). They both made us feel at ease by the absence of ceremony in their manner and conversation. At luncheon I sat on the right of Her Imperial Highness, and my daughter was placed on the right of the Crown Prince. In the conversation of the Princess I was surprised and delighted by her accurate knowledge of things in Australia. She spoke of her brother, the Duke of Edinburgh, and told me a singular anecdote connected with the attempt upon his life at Sydney. 'Poor boy!' she called him in telling this little harmless story, which of course cannot be retold by me. She knew much about the *Maori* race of New Zealand and made

many enquiries concerning them, which led me to enquire whether she had met with Mr. Domett's book 'Ranolf and Amohia,' which I said gave the best description of the Maori wars, sports, and usages of any work I knew. As the book was unknown to Her Imperial Highness, I asked her if she would allow me to send it to her, and she replied that she would be glad to receive it. On returning to London I found the book was quite out of print—even the author could not furnish me with a copy; but a second edition was in the press. When the second edition was published, I sent a copy to the Crown Princess, which was acknowledged by the following letter:—

The Crown Prince's Palace, Berlin,
January 19, 1884.

Dear Sir Henry,—I am desired to inform you that the poem by Mr. Domett, 'Ranolf and Amohia,' kindly sent through Count Münster, duly arrived here and was presented to Her Imperial Highness the Crown Princess, who commands me to thank you very much for the book.

Their Imperial Highnesses the Crown Prince and Crown Princess are glad to offer you their photographs, and I am very proud to be desired to forward the enclosed to you.

With kindest messages to you from their Imperial Highnesses, I beg you to believe me, dear Sir Henry,

Yours very sincerely,
G. SECKENDORFF.

The late Emperor Frederick, as I saw him at Potsdam in 1882, seemed to present in personal characteristics a resemblance to the Marquis of Hartington. That seeming unconsciousness of position—that inbred nonchalance and proud self-dependence which chafe at the conventional conditions of life, struck me as common to both. I do not mean that there was a likeness in countenance and manner between the two persons, but a resemblance of type in the two characters. Each seemed most true to nature and himself when least

concerned with the obligations of rank and society. Nothing could be more affable than the conversation and personal bearing of the Crown Prince. We were taken through a saloon like an immense sea cave, and through a gallery where armour and arms were collected; and many rare treasures of the palace were shown to us. Before leaving, we were driven to points of historical interest in the park, and then back to the railway station.

Our remaining two days in Berlin were employed in visiting the Imperial Porcelain Manufactory, the Industrial Art Museum, a large torpedo factory, and the Picture Galleries. We reached Paris at 8 P.M. on the 18th, and went to the Hôtel Continental.

During our short stay in the French capital, Lord Lyons placed his carriages and himself largely at our disposal. We dined at the British Embassy and occupied the Ambassador's box at the Opera. He went himself with me to wait upon the Prime Minister, M. de Freycinet, and did whatever he could to make our short stay pleasant.

Returning to London, I had a long conversation on the 23rd with Mr. Gladstone in his room at the House of Commons, in the course of which I told him that he had often been charged in Australia, both in the newspapers and in speeches, with being indifferent, if not inimical, to the preservation of the connection between the colonies and England. He was visibly surprised at what I told him, and said I was authorised to say that he had never at any time favoured any such view, and that I might challenge any person making the charge to produce proof in support of it. I have been an observer, from a distance, of Mr. Gladstone's public life for many years, and I certainly never read any report of his speeches or any writing of his which would give the semblance of truth to this imputation. Our conversation embraced other topics, such as the

elements that enter into political life in the colonies, the success of secret voting, and public education.

Our holiday in England drew rapidly to a close. We were presented at Court and invited to a ball and a State concert at Buckingham Palace. A few more festivities in London and in the country, including a visit to the Elswick Works and to the beautiful house of Lord Armstrong, and it was all over. We found ourselves on the good ship *John Elder*, under full steam for the Cape and Australia.

I cannot conclude this chapter without recording my opinion that this journey was ill advised. It was most agreeable to me, and it is possible that it may have been of advantage to the colony. But having considered the question carefully since, and in the light of fuller knowledge, it appears to me that the Prime Minister of an Australian Government cannot with justice and constitutional propriety take himself away for a period of weeks and months from the proper sphere of his continuous duties and obligations. There could hardly be a stronger case than mine. I had been in office over three years; my work had been incessant and very heavy. My health was completely broken down by a serious illness; two medical men gave their opinion that a sea voyage was absolutely necessary for my restoration. To all appearance I had the consent of both Parliament and people. The two Houses, including all parties, gave me a banquet at Parliament House; the citizens of Sydney, under the presidency of the Mayor, gave me a banquet at the Exchange. A resolution was placed on the business paper of the Assembly for a grant of money to meet the expenses of my journey, which was only withdrawn at my own request. Besides all this I had, before quitting my sick-room, written to my colleagues proposing to resign, leaving His Excellency the Governor to commission Sir John Robertson or another of my

colleagues to reconstruct the Ministry, a course which would have been perfectly constitutional and proper under the existing circumstances, for the Government undoubtedly possessed the confidence of the Parliament and the country. The reply I received from Sir John Robertson, speaking for himself and the other Ministers, begged of me not to take the course I proposed, offering to give me any official assistance in their power, and finally informing me that, if I resigned, they in a body would resign with me.

Still I think I ought to have remained at my post at all hazards, or else retired regardless of consequences. In my case my long absence had a mischievous effect upon the Ministry and upon the state of feeling in Parliament. The ground is too delicate for explanations to be indulged; but the weakening influences which found play in my case would find scope for equal activity in any other. But the unjustifiability of the step lies in close compass. When a political personage is commissioned by the Crown to form an Administration, it is never for a moment contemplated that it is within his commission, even as a remote consequence, that he may forsake his post and speed away on a journey to the other side of the globe. It is impossible for him, while absent and at a distance, to discharge the solemn functions which he has undertaken, yet these can be transferred to another only by the Crown, and only by the same process that assigned them to him. Such a proceeding on the part of the Prime Minister of England could not even be mentioned or thought of.

In these Australian colonies, where all is new, we stand in too much danger of inroads upon the Constitution and constitutional usage for Prime Ministers to set the example of violating, ignoring, or neglecting the grave responsibilities inseparable from the trust reposed in their hands.

CHAPTER XVII.

ARRIVAL AT THE CAPE—SIR HERCULES ROBINSON—ARRIVAL AT MELBOURNE—PUBLIC BANQUET—WELCOMES ON OVERLAND JOURNEY TO SYDNEY—ANOTHER BANQUET—MEETING OF PARLIAMENT—MR. STUART MOVES AN AMENDMENT ON THE ADDRESS—LARGE MAJORITY FOR THE GOVERNMENT—STATE OF THE PUBLIC REVENUE—SIR JOHN ROBERTSON MOVES THE SECOND READING OF HIS LAND BILL—THE GOVERNMENT DEFEATED—DISSOLUTION OF PARLIAMENT—GENERAL ELECTION RESULTS IN AN ADVERSE MAJORITY AND MINISTERS RESIGN—MR. STUART FORMS A NEW MINISTRY—A SECOND VISIT TO AMERICA AND ENGLAND—PRESIDENT ARTHUR AND OTHER PUBLIC MEN IN NEW YORK—ARRIVAL AT LIVERPOOL—IN LONDON, ROBERT BROWNING AND OTHER MEN OF LITERARY EMINENCE—JOURNEYS TO SCOTLAND—JOHN BRIGHT AT LEEDS—THE SYDNEY CONVENTION OF 1883—COLONISATION OF NEW GUINEA—RETURN TO SYDNEY.

WHEN the *John Elder* arrived in Table Bay, the pilot put into my hands a letter from Sir Hercules Robinson, inviting me to Government House during the vessel's stay; and His Excellency's carriage was waiting for me on the wharf. There is a light which is so pure and spiritual that it seems derived from a new sense of life in meeting a familiar and dear face in a strange land. Such was my feeling in meeting Sir Hercules Robinson at the Cape. I had seen much of him during his long stay in New South Wales; I knew and admired his knowledge of affairs, his love of difficulty for the sake of mastering it, his clear understanding, and his strong character; I had discussed with him many serious matters with a kindly interchange of views and without the slightest interruption of friendly feeling. It was, therefore, with a new sensation of pleasure that I approached him now in his South African home. I met the same frank and gladsome face, the same love of work for work's sake, the same courage in face of difficulties (and he had enough upon his hands), and the same genuine heartiness which everybody had known in Australia. I

had long talks and long walks with Sir Hercules, and I received much kindness from Lady Robinson and her family during my short visit. They took me one or two drives, which were full of strange beauty and interest for me. But beyond the Governor's household my recollections are limited to many-coloured groups in the streets of Cape Town, and the striking features of Table Mountain.

While at the Cape I received a cablegram from Sydney inviting me to a banquet on my return to New South Wales.

We reached Hobson's Bay on August 13. The good people of Melbourne welcomed me with a banquet, though I was only passing through their city. As Parliament was convened, by my direction from London, to meet on August 22, I was compelled to hurry on. The Government of Victoria placed a special train at my service, and I was met at the border by one from Sydney. I crossed the Murray under a triumphal arch, and the pretty town of Albury was dressed in flags and evergreens to receive me. Both here and at Wagga Wagga I received addresses of welcome. On reaching Sydney I stepped from the train into the midst of an immense crowd of 8,000 to 10,000 persons, and the Mayor, on behalf of the citizens, presented another address of welcome.

So terminated my journey round the world of seven months and nineteen days. The banquet given to me was held in the Exhibition Building on the evening of the 17th, and was largely attended. I appeared to be well received there, and even in the streets. But the Ministry was doomed. We had done much good work, but we were to do little more.

Parliament met, according to proclamation, on the 22nd, five days after my return. The Governor's opening speech presented a group of legislative proposals in the following paragraphs:—

Although the Parliamentary recess has been somewhat longer than usual, owing to circumstances within your knowledge, I have called you together sufficiently early to enable you to transact the business more immediately pressing before the close of the year.

A Bill to extend the benefits of Local Government will be submitted for your consideration.

In consequence of the efforts made by unscrupulous persons to abuse the provisions of the Land Acts to their own advantage, you will be invited to consider a Bill to consolidate and amend the laws relating to the public estate, with the view of carrying out more effectually the legitimate objects of occupation by lease and settlement by freehold.

Bills to convert the public securities into a form more acceptable to the general public and to effect other financial changes will be introduced.

A comprehensive measure to consolidate and amend the Criminal Law will be brought forward without delay.

Experience has shown that the existing Mining Act is defective in some of the more important of its provisions, and a measure will be introduced to give the miner more definite rights, and to afford greater facilities for legitimate mining enterprise, while more carefully protecting the interests of the Crown.

You will be invited to legislate in view of the better preservation and management of the Public Forests.

A Bill will be introduced to make more satisfactory provision for the acquisition and registration of Titles to Real Property, and to improve the administration of the law in relation thereto.

The adulteration of food and drink is a subject which concerns the dearest interests of all classes, and a Bill will be introduced to make more stringent provision against practices so prejudicial to the general health.

You will be invited to consider a measure for the regulation of the navigation of inland waters.

If the state of public business will permit, a Bill will be submitted for the regulation of the Civil Service, and also Bills for amending the law relating to seamen, for regulating the inspection of steam boilers, and for other purposes.

Parliament was congratulated by His Excellency on

the continued buoyancy of the revenue derived from all the principal sources, and on the high position which the public securities maintained. In fact there was at the time a large surplus in the Treasury. The speech then proceeded to explain the position of railway progress at this period (1882) as follows:—

In addition to the 996 miles of railway in operation at the close of last year, 178 miles of new lines have since been completed, making a present total of 1,174 miles open to traffic. The new lines are calculated to affect the trade of the interior in a manner specially beneficial to the colony; and the additional extensions which have been authorised, and which will be rapidly pushed forward, will still further promote the commercial relations between the distant parts of the country and the metropolis, while opening fresh fields for settlement and stimulating the development of our natural resources. The lines of railway now in the course of construction will add an extension of 396 miles, which with the 639 additional miles authorised by Parliament, will form a total within the next two to three years of 2,209 miles.

A number of other topics were touched upon, including the steps being taken to supply the Metropolis and the principal towns with water.

An amendment on the Address in reply was at once moved by Mr. A. Stuart (afterwards Sir Alexander) in these words: 'But we desire respectfully to express our regret that your Excellency was not advised to call Parliament together at a period sufficiently early to have enabled us to give due consideration before the close of the year to the many important and pressing measures enumerated in your Excellency's speech.' After a debate extending over three nights, Mr. Stuart's motion was defeated by 67 to 17 votes, and the Address adopted without division.

Mr. Stuart's position was in one respect peculiar. Some time before he had accepted from the Government the office of Agent-General in England, resigning

his seat in Parliament as a consequence of such acceptance. In his negotiations with me he had stipulated for an increase of salary from 1,500*l.* to 2,000*l.*, and he applied for and obtained a period of three months in the colony to enable him to wind up his affairs. From some turn in his private relations he afterwards retired without entering upon his office, and at a later period he was again elected to the Legislative Assembly. Mr. Stuart's political standing was peculiar in yet another aspect of it. He was the most pronounced Free-trader in the Assembly, and the most uncompromising advocate of denominational education; and yet he soon became the central figure in a group of men who, not avowing their opinions then, did their utmost very soon afterwards to establish a system of Protection in the colony, while the more prominent of them were vehement secularists in education. In a new state of political society like that of one of the Australian colonies, where men are drawn from all kinds of uncongenial occupations into the work of legislation and of government, we must look for startling inconsistencies and anomalous admixtures of opinion and conduct. But Mr. Stuart was a man of superior mercantile education, large experience, and considerable powers of lucid exposition; and in previous years he put the case for Free-trade and for denominational education almost better than anyone else had done.

The Treasurer (Mr. James Watson) made his financial statement on Nov. 1. Since the Government came into office the revenue had increased from 5,000,000*l.* to close upon 7,250,000*l.* Since 1879 appropriations for public works and special services to the amount of 3,117,000*l.* had been authorised out of the accumulated surpluses of the last few years. Notwithstanding these appropriations, Mr. Watson announced a remaining surplus of nearly 2,000,000*l.*¹

¹ *Official History of New South Wales*, p. 638.

On Nov. 9 the Secretary for Lands (Sir John Robertson) moved the second reading of the 'Bill to consolidate and amend the laws relating to the Alienation and Occupation of Crown Lands.' The Bill did not propose to uproot the main principles of the Act of 1861 (with which Sir John was specially identified), but rather it aimed at recasting the system which had grown up under its provisions. It admitted the defects and proposed remedies; it met the abuses which time had demonstrated with safeguards against their recurrence; and it provided for many genuine reforms. Sir John explained and defended the measure at great length and with much ability. As the land question is the one on which all other questions in a new country so largely depend, I give the chief portions of Sir John Robertson's speech:—

It is within a few days of a quarter of a century ago since I declined to bring in a Bill to deal with the public lands until the Parliament was reformed, until the people were more fully represented than they then were, until we had vote by ballot, manhood suffrage, and as near an approach as we could get towards equal electoral districts. In that Session—the Session of 1858—the law was passed which gave to the people these privileges. Thus the whole people in 1861 had a potent voice in determining what should be the land law of this country. After a long struggle the land laws of 1861 were passed. If ever there was passed in any country a law which was chosen by the whole people of that country, that law was the land law which we passed in 1861. Since then the law has been to a small extent modified—first in 1875, when my honourable friend Mr. Garrett was a colleague of mine, and there was, in my opinion, no man in the country better qualified to deal with the question than he. The law was again amended by a Bill in charge of another gentleman of great ability and of great perseverance—a man who seemed to have to a large extent the confidence of this House. I refer to the Bill which Mr. Hoskins introduced in 1880. On both of these occasions it happened that I was a member of the Government. From 1861 until 1880, then, the law was before the representatives of the people, and met from time to time

with their approbation. It is a somewhat remarkable fact that, after a quarter of a century's service in connection with this matter, administering the land law myself, or aiding other Ministers to administer it, taking a deep interest in the question during the whole of this long interval, it should become my lot once more to ask Parliament to adopt a certain course with regard to our land law. I am well aware that there are several gentlemen in this House who are far better able than I am to deal with this question. I do not mean that there is in the House any man who has had more varied experience in this matter than I have had; I do not mean that there is in the House any man who has given to the question more anxious attention than I have given to it; but I admit that there are several honourable members who intellectually are far more able than I am to deal with the question. As it happens that the lot falls upon me, and as I am not in the habit of shrinking from any duty which appears to me to be mine—especially when I know that I am quite able to deal with it—I have thought it right to take charge of this business. I have said that there are none in the House who have had more experience in connection with this question than I have had. I think I may also say that there is no one here who is more fearless, or more regardless, of consequences, in maintaining that which he believes to be right in this matter than I am. I am quite satisfied that on neither side of the House are there many who believe that I would take a course in regard to this matter which I thought was not in the public interest. The question is one of the gravest possible kind. In dealing with it we require to study alone the interest of the whole people—the interests of the country. I conceive that I have no right to endeavour to consult specially one section or another of the proprietors of land. I know that I take a dangerous course in the bold way in which I have dealt with this matter; but I have ever held that it is the duty of the Minister of Lands to consider the interest of the whole people, of course giving every reasonable consideration to, and dealing as tenderly as possible with, the interests already established in connection with our land. But I submit that there is something to be considered more than the interests of those who are on the land. We have to consider the interests of the whole country, and of the large body of the people who never can be owners of the Crown lands either as leaseholders or as purchasers. The great mass

of the people will always be those who hold no land, but whom we have a right to consider when we are dealing with this question.

When I took charge of the land question of this country as Minister, nearly a quarter of a century ago, the land was in the hands of a few persons, who claimed and enjoyed an exclusive occupation of it, who absolutely claimed it as theirs. These persons even claimed an hereditary title to seats in the Legislature, based on their holding of the Crown lands of which they were in occupation, and it was no joke to wrest this property from the hands of those who had no right to it, and to put it fairly into the hands of the whole people. It is true that we received a rent from those who held; but the rent was ridiculously small. It was scarcely worth calculation, scarcely worth counting in the receipts of the Treasury. At that time land could be purchased only at auction or in virtue of improvements. None but those who commanded a good banking account could approach the auction room with a view to purchase a piece of land directly from the Crown. That seemed to be anything but a fair state of things, because the purchasers of small means who would attempt to buy were cowed down. They did not bid at all; they gave up as hopeless any attempt to become purchasers at auction sales of Crown lands. I do not desire to say that the gentlemen then in possession of the Crown lands were any worse than ordinary people; I know they were a good deal better than ordinary people. Many of them were my intimate friends, and I believe that in those days the squatters of the country, as they have ever been, were very much superior to the average of the people of the country. But in the very nature of things it was to their interest to depreciate the value of Crown lands, and everyone who was in the colony then must remember, as I remember, that the greatest man we ever had here declared in this Chamber that the Crown lands in the interior of the country were not worth per acre the smallest coin of the realm. That was the way in which the land was regarded in those days. Those who held it had no interest and no desire to encourage others to go upon it, and in every conceivable way its value was decried. Well, when I approached the question to deal with it, I endeavoured, although I did not get much credit for the endeavour, to deal as delicately as it was possible to deal with existing interests. I endeavoured to act as fairly as man could act with the gentlemen

in possession of land, and I believe New South Wales stands alone among the Australias as the only colony which has never repudiated an engagement with any person in connection with its pastoral lands. In the legislation which I introduced I protected by every means in my power every existing right. At that time much of the land was held under annual leases, much of it under five years' leases, but far more under fourteen years' leases, and none of these lands were allowed to be invaded during the currency of the leases. That was not so in the other colonies; it was not so in Victoria. We respected all the rights which had been created by our predecessors, and every landholder had fairplay; but, on the other hand, as the leases fell in, the time seemed to have come when the whole people and not the lessees only, should be considered; and in dealing with the question in 1861, that was the basis on which our action proceeded. That I was tender of this great pastoral interest, although I never received any credit for that tenderness, may be seen by the Occupation Act. That Act has never been altered from that day to this except as against the squatter; no one has attempted to make it more favourable to the squatter. What was the provision I made for fixing the rents? Why, that each lessee should appoint an appraiser, that the Government should appoint another, and that these two should appoint an umpire, and thus the rent was fixed. The world has never seen a fairer mode of fixing a rental than that, and it continued for years, notwithstanding abuses which crept in; but we were obliged at last to give it up, because it came to this: that we were not getting anything like the rent we were entitled to get for the land. Even at this day some of the runs remain under the old mode; but they are coming in very fast under the new mode, and thus the rent is increasing, as I intend to show presently.

Knowing my opinions, which have ever been expressed freely against pre-emptive leases, I think I exhibited in respect to them also—for the matter was pretty well in my hands—a disposition to deal tenderly with existing interests. I had never spoken otherwise than against the provision for pre-emptive leases; but disturbance of land holdings is always dangerous and unwise, unless absolutely necessary, and it did not seem to me absolutely necessary to disturb that right; it is a thing to which I always objected. I did not create it, but I left it as I found it, and, although I think it is doomed, I have not thought it desirable or right to attack it in this Bill. This being

the state of things, that no one could buy land except at auction, or, in the case of a lessee, by improvement right, I thought, and the Parliament thought, and the people of the country thought, it desirable to provide that those who would covenant to reside on the land and improve it, and thus develop its resources, should have certain advantages in acquiring possession of the land; thus they were not subjected to competition at auction, or the necessity of waiting for surveys, but they were permitted to select from the whole of the lands of the colony, not only before survey according to the popular cry, but whether the land was surveyed or not surveyed; such are the words of the law. They had also these advantages: that they had to pay only 25 per cent. cash, that they should go into possession at once, make certain improvements, and remain in occupation for three years without paying interest, and after that to pay 5 per cent. interest, a percentage lower than the Government of the colony was paying for its loans. When I say they were permitted to select from the whole of the lands of the colony, of course I mean with the exception of those lands specially exempted by the Governor and Executive Council for public objects. Yet we have been told, and we are continually told, that so many people have not remained in possession of the land as was contemplated would remain in possession of the land, and that many people who have taken up land have thought it wise to sell it, and doubtless that is true. We have been told, and I believe it is too true, that fraud has prevailed; but, at the same time, it is mere childish nonsense to say, as some people do, that the frauds have been anything like so extensive as has been represented. I have observed that it has been considered fraudulent for any person to buy land from a free selector; but you cannot find anything in exception to that in the law of 1861, or in any law that we have passed. If a man improves his land *bonâ fide*, and resides on it in accordance with the law, after his time of residence has expired he has as absolute a right to sell his holding as any man who buys land at auction, and therefore this attempt to hound down people who have bought land from selectors who had fulfilled the conditions of residence is simply a delusion, and no one knows it better than does the honourable member (Mr. Farnell), who administered the law so long. But vast numbers of selectors have never sold their land, vast numbers are still residing on their land, and nine-tenths of the wheat produced in New South Wales is grown on free

selected land. When the law was passed, no one dreamed of tying a man to his land after his term of residence had expired. If a man's selection is too small for himself and his family, there is nothing in the law to prevent him from selling his land and taking his family to newer and wider fields, nor, when the law was passed, was it thought that there would be any wrong in his so doing. When a person has bought a number of these selections, that has been called dummying; but it is not dummying. Dummying is putting your servant, or some other person, upon land, bound down hand and foot to make it over to you when the term of residence has expired, and every time the law has been altered the object has been to prevent that, and to put difficulties in the way of those who wish to fraudulently take advantage of the law; and this Bill goes still further in that direction.

This policy of selling land without competition, whether surveyed or unsurveyed, and on terms of credit, has had many beneficial advantages. For example, the humblest purchaser is able to obtain land without difficulty or delay, and almost from the time when the law was passed this provision has had the effect of drawing people from the neighbouring colonies to settle here. It is a provision which is more favourable for the man of small means than any provision which exists in the laws of any of the other colonies. From the very first, people have swarmed from the other colonies to settle here—from South Australia, as we know, a number of Germans took up land at Albury. Within the last three or four weeks Mr. White, a gentleman who was deputed by a large number of farmers in South Australia to visit the various colonies, and to report on their land systems with a view to settlement, has furnished his report, and in it he passes the highest encomiums on our law and upon the prospects of people who have taken up land under it. The alienation of the land is favourable to the general public as well as to the squatter, to the free selector, to other purchasers, and to those to whom it may be mortgaged. Its alienation by free selection has had the most beneficial effect conceivable on the interests of the whole people. Before the Act was passed there was no competition whatever for what was regarded as inferior land. The lessees described the land as worthless; they said that no one would ever dream of living on it; but when the right was given to the people to enter upon it, and they did so freely, the lessees soon found that the land was worth 1*l.* per acre and more; this land which they said was not worth the smallest coin of the realm

per acre they very soon bought in large quantities at 1*l.* per acre, and found that it was to their interest to do so. The money which they had paid has been poured into the Treasury, whence, under our system of government, it cannot be taken except by the approval of Parliament, which is elected by the whole people. By this system we have had money poured into the Treasury to be used in opening the country, and thereby promoting its progress and prosperity. I know that there are some who think that it is injurious to the interests of the country to have a large revenue flowing into the Treasury from the sale of land; but they seem to overlook the fact that the money can only be disposed of by the Parliament, which is elected by the votes of the whole people. How, under these circumstances, it can be injurious to the colony to have this revenue flowing in, is to me entirely incomprehensible. This system which I have spoken of has brought about competition which has made known to all mankind the value of these country lands of ours. The minimum price for which land has been sold by auction has been 1*l.* per acre, and the conditional purchasers have had to pay a like amount, thus the people in general have received fair value in money for their land. In 1861 I did not think that to abolish auction sales was desirable. It is one thing to provide that a man may have land on which to establish a home for himself, and it is another thing to say that another man who cannot reside on the land shall not buy land in the open market on a proper upset price. From the first it has been within the power of Parliament to fix the upset price of land, and it is within the power of Parliament to do so now; but I shall not advocate any increase in the price. I know that there are some conscientious gentlemen, who are as well acquainted with the subject as I am, who think that auction sales ought to be abolished; but I am afraid that they forget that the interests of the great landowners of the country—the whole of the people—would be left out in the cold if we abolished sales by auction.

It must be obvious to everyone that there are people who cannot reside on the land, and they would be prevented from having a fair enjoyment of the rights of citizenship if it were not in their power to buy land at auction. Besides, it was an old-established and customary mode of sale. I have shown that even when the law in force in the country was framed entirely irrespective of the will of the people, framed by a power irresponsible to the people, by a power nominated from afar—I

have shown that even with regard to those laws I felt it right to deal delicately with interests thus called into existence. What, then, can honourable members expect from me now other than that, unless where change appears necessary, I will adhere to the provisions of the law which originally sprang from the people, as the present law did, and which has over and over again been maintained by the will of the people? Could it be expected that I would not endeavour to re-enact what is good in the law, and, at the same time, be willing to leave out anything which can be fairly shown to be bad? It ought to be remembered that on no question is it so undesirable to have unnecessary changes as it is on questions affecting the holding of land—I mean fundamental changes. It cannot raise our character in the estimation of other people if we frequently change our land laws. Everyone must know how inconvenient it would be, and how the interests of the country in every way would suffer by any change which unnecessarily disturbed existing interests. What has been the effect of the law? Let us consider fairly, and without prejudice, the state of the country before the law was passed and its present state. The land was locked up. We all know that the land is the source of all wealth. What was our position at the time in other respects? We were without roads, without bridges, without railways, without telegraphs, and without a thousand other advantages which we now possess. We had no money and no credit; we were unable to pay the monthly wages of the employés of the Government. I remember one occasion when the Treasurer, who was fortunately a wealthy man, actually advanced money from his own credit to pay the employés' wages. This was the position in which we were before the Land Law of 1861 came into full operation. If I were to pass away to-morrow I should leave the country in a state very different from that in which it was when I succeeded in passing the Land Law. I should leave New South Wales prosperous; her people well employed and happy; her Treasury overflowing; her revenues increasing; her credit equal to that of any country in the world; her position established as the first, the freest, the most hopeful, the most powerful, and the most prosperous of the Australian colonies. Let us see how it is that we can credit the land law with the change to prosperity from the terrible state of poverty and depression in which we were sunk in years gone by. We have now such a revenue that, as the Treasurer has told us, we shall be able to carry on large

undertakings without exercising for a long time to come the authority which Parliament has given to borrow for their construction. Let me see whether I cannot connect the land law with this wonderful change; I think I shall be able to do so. I took charge of the Lands Office in January, 1858. During the year before the whole revenue from Crown lands—from all sources other than sales—was 118,149*l.* 8*s.* 8*d.* This was our annual revenue, and let it be borne in mind that Queensland was part of our territory then. Last year our revenue—of course without Queensland's territory—from land, irrespective of sales, was 591,007*l.* 7*s.* 1*d.*, and the Treasurer estimates the revenue for 1883, from the same source, at 725,350*l.*, or almost 1*l.* per head for every person in the colony. This is an evidence of wealth such as no country in the world can show. This revenue is raised without oppressing anyone. The free selector is able to retain the use of his money at as reasonable a rate of interest as he could get it in any part of the world, namely, 5 per cent., and, like the squatter, is prosperous.

It must be remembered that, notwithstanding this revenue of 725,350*l.*, we have had paid into the Treasury for land some 25,000,000*l.*, which has been applied to purposes decided upon by the Parliament elected by the whole people of the country. This large sum has been paid into the public Treasury, and we still have 750,000*l.* a year for the use of the remaining land. This revenue is increasing year by year, and it will continue to increase, notwithstanding croakers in the country who have ever predicted ruin and desolation from the law, and said that it would destroy the pastoral interest and everything else. Let us see what the proceeds of the sales of land were in 1857. In that year, when the two colonies, New South Wales and Queensland, were undivided, the revenue from the land sales amounted to 210,333*l.* 17*s.* 3*d.* Last year the proceeds of the land sales in New South Wales amounted to 2,229,981*l.* 6*s.* 3*d.* The Colonial Treasurer estimates that the proceeds of our land sales for next year will be 1,765,000*l.*; but we are in this position: that if we wished to increase that by another million we could do it. We find that people are willing to buy land to the extent of another million or two sterling next year, without any reduction in the price below 1*l.* per acre, if it were considered well to sell it. That is the position New South Wales is in, and that is the reason why our credit is so good; it is because by the free selectors going on the land and creating competition we

have a proof of the value of the lands of the colony. What have we been doing with our live stock? After all, there is no greater source of wealth in this land than our sheep; and there is no source of wealth which brings in more money than sheep. What is the position of our sheep? I have not been able to get the returns for any period earlier than 1861. In 1861 we had 5,615,064 sheep; in 1881 we had 36,519,946 sheep. That is an increase of 650 per cent. on the twenty years. Now, let us look at our neighbours, and see what number they have. In 1861 Victoria had 6,239,258 sheep, and that colony now has 10,360,285 sheep. Thus, while our increase has been 650 per cent., the increase in Victoria has been only 65 per cent.

We have only a comparatively small population, and they have a right to do with their labour and capital that which they think best. They have done what they thought best, and they thought that farming was not the best thing to do. Yet our own supply of grain approaches much more nearly to the requirements of the country than it did before the Act of 1861 was passed, and, even if it were not so, I should like to know how anyone could blame the Land Law of 1861 for it. Surely when a man is put on the land on the easiest terms upon which land was ever given to man in the world, if he will not farm it that cannot be the fault of the law! It may be the fault of the country or of the people; but it is really the fault of neither. It is because every man will do that which seems to him best with his labour and his capital. That is the reason why we have not so much farming perhaps as some of the other colonies. I am quite satisfied that no one here will dispute that our people are better paid, better fed, and better off than the people of any of the neighbouring colonies; and, after all, that is the main thing. They are better paid and better clothed and in every way happier than people in the other colonies. We have seen no deputations sent from New South Wales to South Australia to see whether they can get a place to put their heads in. We have not heard of 50,000 people going over the border from New South Wales to get on to the land in Victoria, however frequently we may have heard of the opposite being the case. We know that our people are quite satisfied with their condition here, and let it be remembered that the increase of our population is progressing to a larger extent than that of the population of any of the other colonies.

After this exposition and defence of the principles of his past land legislation, Sir John Robertson explained the provisions of the new Bill which had been framed to cure defects and eradicate abuses in the administration of the old law, and concluded as follows :—

Throughout the Bill the taking up of land has been made easier for the fair-dealing conditional purchaser, and more difficult and more dangerous for the conditional purchaser who attempts to fraudulently make use of the law. I have now given what appears to me to be a sufficient exposition of the past, that is, the past anterior to the law of 1861, of the working of the law of 1861, and of the changes contemplated by this Bill. I have given an immense amount of trouble to the preparation of the Bill, and I have been assisted by a number of the ablest and best officers of the Department of Lands, who in my opinion are equal to the best who have ever served the country, and I feel, whether it should be so or not, that the Bill deserves to be read a second time.

Mr. Stuart, who led the opposition to the Bill, spoke at considerable length, and with much cleverness. He complimented the Minister on his distinguished services and ability in connection with the public lands, but he contended that the country called loudly for radical changes. If the House was prepared to sanction the continuance of the vital principles of the present law, then he at once acknowledged that the Bill was an immense improvement, ‘because,’ said he, ‘a carefully prepared consolidation of so complicated a set of laws as those at present governing our land administration is in itself an enormous gain.’ But the House was called upon to go a great way beyond this. ‘I contend,’ urged Mr. Stuart, ‘that the vital principle of the present land law, which is perpetuated in the Bill placed before us, is indiscriminate free selections before survey. That I consider to be at the base of an immense amount of the evil which has characterised the administration of our land law, and of the feuds and difficulties which

beset us on every hand. If any stranger were to form his opinion of the state of our land system from the speech which has just been delivered, I could imagine him, after hearing the speech, going away perfectly convinced that this must be a happy and contented people living under such an Administration. Can we, however, shut our eyes to what is going on around us? What is our experience of the last few years—the last ten years—of the working of the land law? Does our experience accord with the rosy-coloured complexion given to it in the speech we have just heard? That we have made great advances in material prosperity no one can deny; but that we have been living under a sort of hot-house forcing system with regard to those large sums of money which have been flowing into the Treasury it is equally impossible to deny.’ He believed the people were loud in their demands for a change. He warned the House against consenting to go into committee to amend the Bill. A very different measure was needed to meet the wants of the people. He declined to move any amendment; but he had formulated the principles which ought to be embodied in any new land Bill, and he would read them to the House :—

1. Indiscriminate selection before survey condemned.
2. Colony to be divided into two or more classes of districts.
3. Division of present runs or leases. One-half to be leased by present lessees for seven, ten, or fifteen years, according to the class of district, but without any right of purchase by virtue of improvements.
4. The other, or resumed half, to be open to selection by (a) conditional purchases in the inner and intermediate districts with increased maximum of area, but without pre-leases, and as far as possible within surveyed areas; (b) conditional leaseholds of enlarged areas in outer districts.
5. Reduction of deposits on conditional purchases to 2s. per acre, but final payment in twenty-one years.
6. Present system of auction sales to be abolished.

7. Local land boards to enquire in open court into all matters affecting the administration of the law, with right of appeal from its decisions.

8. Present conditional purchase holders may come under these provisions, half their pre-leases being secured for five years, with right of purchase.

9. Reserves on each side of railway-lines.

And Mr. Stuart concluded: 'Upon this platform I am prepared to take my stand in the matter of land reform; and as the Bill before us does not contain any one of those principles, but as its provisions are entirely antagonistic to every one of them, I see no other course to take than to reject the Bill *in toto*, let the consequences be what they may.'

The weak spots in the proposed reforms of Mr. Stuart were seen by the experienced eyes at the time. It was foretold how the runs would be divided, and how the people in many instances would get the worst half. Other delusive features were pointed out. But Mr. Stuart's bait had a showy appearance, and for the moment it was an adroit move.

The debate continued until a late hour on the 16th, when the House divided, with 33 for the second reading and 43 against it. The division in one sense was a surprise to us; in another sense a result expected. Several members who hitherto had supported the Ministry now, without any intimation of their intention, voted against us. Two gentlemen in particular who had regularly sat behind us, and who, on the night of the division, continued to occupy their accustomed seats, chatting cordially and confidentially with myself and other of the Ministers, turned up in the seats opposite to us when the votes were counted. Of course such things were a surprise. But the Ministry had existed too long, nearly four years. Even in England, nowadays, one element of danger to a Ministry is the length of Ministerial life. We knew there were men sitting on

our side, and occasionally professing confidence in us, who were simply waiting for the opportunity when their votes against us could be effective. Some few were biding their time to punish us for the triumph of the Public Instruction Act in 1880; others, on lower grounds, had met with denials which they ill brooked; others again were prepared to risk a change on the chances of what might happen. At any rate, we were defeated by a decisive majority, and the Assembly never met again.

Believing that we possessed the confidence of the country, we advised a dissolution, and our advice was accepted by the Governor. In the appeal to the electors the ground of attack was to a large extent shifted by our opponents, and the Ministry were covered by a flood of vile accusations. The result of the elections was adverse, and we retired on January 4, 1883, four years and fifteen days after our acceptance of office. The next four years saw the birth and death of four Ministries, and no fewer than thirty-one different men holding Ministerial office. The first of our successors lasted two years and nine months; the second seventy-five days, the third sixty-six days, and the fourth ten months and twenty-four days. The principal legislative measures of this chequered period of four years were the Land Act of 1883, the Criminal Law Consolidation Act, and the Customs Duties Act of 1887; the most notable feat in administration was the unconstitutional despatch of Australian troops to the Soudan.

As the outcome of the General Election at the close of 1882, Mr. Stuart came into office on January 5 following. I had lost my seat for East Sydney, but I had been immediately returned without opposition, and without appearing as a candidate, for the district of Tenterfield. Being released from office, and finding my health still suffering from the effects of my illness in 1881, I determined upon another visit to Europe. I

offered to resign my seat in Parliament, but my new constituents decided in public meeting that I should retain it during my absence. I left Sydney early in the year, and did not return until the end of August 1884. I spent several weeks in the United States, portion of the time with friends in Boston, and part in New York. While in the former city, Lord Chief Justice Coleridge was entertained at a public banquet by General Butler, who was Governor of Massachusetts at the time. Being one of the guests, I found a new source of enjoyment in the dexterous word-play between the fire-eating General and the placid Lord Chief Justice in their curious interchange of compliments to each other's country. On the following day I was, on the invitation of the Governor, one of a party organised by him to visit the manufacturing town of Lowell. The party included Mr. Gilbert Coleridge, Governor Jarvis, Colonel Means, Colonel Derosset, General Dalton, the Honourable Wellington Smith, Lieutenant McLellan, and others, besides the Lord Chief Justice and Governor Butler. We spent some hours in inspecting the cotton factories, none of which were in full work. In the afternoon we were hospitably entertained by General Butler, at his mansion overlooking the Merrimac. During my subsequent stay in New York I received much attention and kindness from the eminent jurist, Mr. Dudley Field, from Sir Roderick Cameron, General Hawley, Mr. Jay Gould, and other well-known citizens.

I find the following entry in my Diary of Sept. 18 :—
 'Saw President Arthur and the Secretary of State at the Fifth Avenue Hotel. Spoke to both on the Wool Duties and the Pacific Mail Service; and both seemed favourable to my views. The Secretary of State said plainly that a further reduction of duties would come.' This interview is referred to in a previous chapter.

I visited the Immigration Dépôt at Castle Garden.

Eight hundred immigrants had arrived that morning, 75 per cent. of whom had been sent away by various trains before the evening. The Department, I was informed—indeed the books were thrown open for my inspection—takes care of their money and valuables, makes careful enquiries as to the districts where they are most likely to find engagements, protects them from the class of persons seeking to prey upon them, offers advice founded on special knowledge, and looks after the destitute and sick. The organisation appeared to be very complete.

On the 19th I went on board the Cunard steamship *Pavonia* for England. I landed at Liverpool on the 29th, and during my short stay in that city received much civility from the Mayor, William Radcliffe, Esq. I was shown through St. George's Hall, the Rotunda Library, the Museum, and other public places. I was much struck by my inspection of the Waterloo grain warehouses, containing seven acres of floors, and of the Langton and Alexandra Docks.

I left Liverpool by train at 11.5 A.M. on October 2, in a reserved carriage courteously granted to me by the Company, and reached London at 3.25 P.M.

While in England, I on several occasions had the honour—looking back now it is coloured by the feelings of a genuine sorrow—of receiving Robert Browning among my visitors at my lodgings. We had many chats concerning his intercourse with Walter Savage Landor in Italy, on Mr. Barrett Browning's pictures, and in reference to eminent men in literature. At that time the poet was seventy-two years of age, but he had not taken to spectacles, and he seemed slightly proud of his well-preserved eyesight. On one occasion, when other persons were present, the conversation turned upon handwriting, when Browning took a pen and wrote his name on a piece of paper in characters so small that I have often seen young people bend their

heads to read it. The signature lies before me now, the letters distinctly and neatly formed, and the whole inscription, 'Robert Browning, January 15, '84,' within the space of seven-eighths of an inch. When I was leaving England, Mr. Browning wrote in a volume of his poems which I hold with my few treasures: 'All health and happiness to my friend Sir Henry Parkes. He carries away with him the grateful and affectionate remembrances of Robert Browning. July 2, 1884.' A little more than five years afterwards the poet passed away to his last home, but I remember his sweet, joyous face as it lightened the atmosphere wherever it appeared, and I feel that I am better for having known him. In my own efforts and failures his beautiful words console me:

What hand and brain went ever paired?
 What heart alike conceived and dared?
 What act proved all its thought had been?
 What will but felt the fleshy screen?

I saw much of my dear friend Thomas Woolner, often spent happy hours with the noble old devotee of science, Richard Owen, was for days together the guest of the illustrious author of 'Locksley Hall'; and I was introduced to many remarkable men, which made my second sojourn in England extremely pleasant. Among the persons I met I recall to memory Mr. Kinglake, Mr. Waddington, General Sir Henry Norman (now Governor of Queensland), Mr. Bret Harte, the Rev. B. Jowett, Professor Huxley, Lord Aberdare, Mr. Herbert Spencer, and many others.

I feel that I owe much to the consideration and kindness of some whose guest I often had the happiness to be—to Lord Armstrong, Mr. Lecky, the historian, Sir Anthony Hoskins, the late Mr. W. E. Forster, Sir Richard Owen, and Mr. Thomas B. Potter, as well as to my personal friends Mr. Woolner, Sir William Ogg, Sir Daniel Cooper, Mr. Donald Larnach, and that true servant of New South Wales, Sir Saul Samuel.

Amongst the old Australians in London whom I often saw was Sir John Darvall. He was a brilliant figure at the Sydney Bar before I was known to the Australian public, and he strenuously supported my election for Sydney in 1854, speaking at many of my meetings. I dined with Sir John at his house in Upper Wimpole Street on October 26, 1883, and never saw him afterwards. He was then so nearly blind that he had difficulty in recognising the members of his own family. He came close to me before he knew me, but in voice and features he was little changed. He spoke with surprising distinctness of the old times when I used to sit in the Assembly till midnight, and then go to 'The Empire' office and work for hours on the paper, and of old political faces of those days; but he seemed to know little of the present state of the colony. He soon afterwards passed away. I knew him well in public life, both as a friend and as an opponent; and he was a gallant-hearted man.

In these days I saw much of Sir Daniel Cooper, whose genial nature and kindness of heart were always the same. With him, too, I sat in the old Legislature, partly nominative and partly elective, before Responsible Government, and it seemed like the revival of old relations to meet him so often.

My good friend, Sir Saul Samuel, was then, as always, ready with his smile of welcome and his proffered service, and he did all in his power to make my brief London life a pleasure. My acquaintance with Sir Saul now extends over half a century, and I have known few truer men.

I find the following entry in my Diary:—'October 29. Went with Mr. J. H. de Ricci to Fair-trade meeting in Cockspur Street. Sir Eardley Wilmot, Mr. Sampson Lloyd, Sir William Wheelhouse, Mr. Richard Russell, and Captain Bedford Pim took part. Captain Pim "was an old-fashioned Protectionist; no humbug

of Fair-trade for him." Mr. Russell was "an old Protectionist: the Government ought to tax everything." Sir W. Wheelhouse: "The Government was not worth its salt, if not prepared to tax everything when necessary." I left Mr. de Ricci with his friends, and preferred the street.'

Some business I had in hand took me several times to Scotland. In Edinburgh I had a letter of introduction to Sir Alexander Grant, with whom I spent some agreeable hours, and who took me over the University. I was taken to Loch Awe by Mr. John Blair, and to Abbotsford by Mr. John Murray of Gala-shiels. At Edinburgh, Glasgow, Dundee, and Aberdeen I addressed public meetings, convened for the purpose, on the subject of Australian progress. In these several journeys I was treated with unexpected hospitality by new friends. I travelled as far as Braemar and the Links of Dee; but my movements were very hurried, and I had little time for enquiry.

On October 18 I left Edinburgh for Leeds to attend a great Reform meeting, which was held in St. George's Hall. It was estimated that some 4,000 persons were present. The chair was occupied by Mr. John Bright; the principal speakers were Sir Wilfrid Lawson, Mr. John Morley, and Mr. Herbert Gladstone. There were many ladies present, chiefly occupying the front seats in the galleries. I had several reasons for attending this meeting at some considerable trouble. It had been much talked of as a reawakening of interest in the cause of Parliamentary reform; I had a strong desire to hear Mr. Bright once more on a popular platform; and I wished to be in a position to institute some comparison between a great English meeting and a great Australian meeting, both in respect to the composition of the assemblage and the style and manner of the speaking. Mr. Bright appeared to speak with a subdued passion at times almost pathetic.

and with little of the biting humour of bygone years. Mr. Morley struck me as one accustomed to a different kind of audience, though his matter was excellent. Sir Wilfrid was strikingly Wilfrid-Lawsonish. I never heard Mr. Bright speak again. The Leeds audience was very much like a Sydney or Melbourne audience; and a Melbourne or Sydney meeting would look quite as English as the one at Leeds. On the following morning I had a brief conversation with Mr. Bright in the railway carriage when he was on the point of leaving for Liverpool. He expressed surprise that I should have come all the way from Edinburgh to hear him.

I afterwards visited the 'Leeds Mercury' office, and saw Sir Edward Baines. I had had some intercourse with him, then member for Leeds, in 1862, on the subject of emigration to Australia. Sir Edward was now in his eighty-fourth year, apparently very vigorous still, and he took a lively interest in a conversation started by Mr. Talbot Baines on Australian affairs. I left for London the same day.

In November and December, 1883, a convention of the Australasian Governments was held in Sydney, including Fiji, which was represented by its Governor, Sir G. William Des Vœux. The convention was mainly the outcome of public discussions and correspondence between the Australian governments, arising from the action of Queensland in taking possession of New Guinea in Her Majesty's name; but the scope of its business was gradually enlarged to the inclusion of other subjects. It was proposed by one set of resolutions to urge the annexation of, or the constituting a Protectorate over, all the islands of the Western Pacific from the Equator to the New Hebrides; by another proposal, to declare that any further acquisition of dominion by a foreign Power in the islands of the Western Pacific south of the Equator would be highly

detrimental to the safety and well-being of Her Majesty's Australasian possessions. The convention sat ten days and discussed many subjects, but it is not my intention here to deal with its decisions, but to confine myself to my own action at the same time in England.

So far back as the year 1874 I had urged upon Sir Hercules Robinson, as Her Majesty's representative, the sound policy of colonising New Guinea. In a minute which is published as Appendix II., after narrating the steps which had been taken by parties connected with New South Wales towards the exploration of the Island, I concluded with this paragraph:—‘The importance of New Guinea to the English empire now rapidly forming in this part of the world cannot be overestimated. Its close proximity to the Australian coast, its territorial extent, the valuable character of its lands, its known mineral wealth, the pearl fisheries in the neighbouring seas, give to it a prominence in the progress of these colonies which will go on increasing every year. Its colonisation by a foreign Power could not fail of giving rise to many embarrassments. Its colonisation by Great Britain would be hailed with universal approbation throughout Australasia.’ Some years later the Government of Queensland, by one of its officers, took possession of New Guinea and hoisted the English flag on its soil, which act was repudiated by the English Government. I had many conversations with influential persons in London on this subject, and forming my views from what I gathered as the opinions in high circles, I telegraphed and wrote to Sir Alexander Stuart, that, if the convention confined its efforts to the colonisation of New Guinea, it would be much more likely to succeed than it would be if it included New Ireland and other groups of the adjacent islands in its representations. The convention, however, took the opposite course, with what result is well known. I opened a corre-

spondence with Lord Chancellor Selborne in which I strongly advocated the wisdom of taking possession of New Guinea as part of Australia; and I fear a great mistake has been made, looking to the Australian future, in letting things remain until the flag of another great European Power has been hoisted over part of the island.

I left England early in July, 1884, by my old ship the White Star liner *Germanic*, and with my old friend Captain Kennedy, for New York. After some days spent among my American friends, I made the railway journey to San Francisco in five days and eighteen hours, staying nowhere on the way. Some few days were given to my friends in San Francisco, when I left by the steamship *City of Sydney* for my Australian home. A pleasant passage, without any unusual incident, ended in Port Jackson on August 29. As the ship steamed up the noble harbour my old colleagues and political friends were waiting for me on the wharf, and in the evening I was welcomed by another banquet in the Town Hall.

CHAPTER XVIII

RETURN TO POLITICAL LIFE—A LONG SESSION OF PARLIAMENT—PROFLIGATE RAILWAY PROPOSALS—RESIGNATION OF MY SEAT—THE MILITARY EXPEDITION TO EGYPT—MY PROTEST—DETERMINE TO OFFER MYSELF FOR THE FIRST VACANT SEAT IN PARLIAMENT AS THE ONLY CONSTITUTIONAL MEANS OF TESTING PUBLIC FEELING—ELECTED FOR ARGYLE—STEPS TAKEN BY SIR ALEXANDER STUART FOR MY EXPULSION—THE RESULTS—FIRST CONCEPTION OF THE PUBLIC WORKS ACT.

AFTER my return I resumed my place on the Opposition benches of the Assembly, generally voting with my old friends but not taking a forward part in the debates. For months past the Land Bill embodying Mr. Stuart's famous principles, as enunciated in the

debate at the close of the Session of 1882, had been struggling through Parliament. The Session itself had been dragging its toilsome length along since Oct. 9, 1883, and it actually did not come to an end until Nov. 1, 1884; that is, it continued twenty-two days over the entire year. Notwithstanding the unprecedented length of the Session which passed the Stuart Land Act, there were five other Sessions in the three years' life of the Parliament; one of four months within a day, one of four days, one of eight days, one of ten days, and one of twenty-two days. These facts alone are sufficient to satisfy any mind acquainted with the principles of Parliamentary government that the 'new party' had succeeded in producing a rich harvest of confusion and some monstrous anomalies. They carried one measure by the prodigious toils of 1884, but even that measure has been recast by several amending Acts since.

During the latter part of 1884 I addressed several public meetings in different parts of the country, and pointed out what I believed to be abuses charged with evil consequences to the country; and it is certain, from the evidence of subsequent events, that public dissatisfaction was fast rising to a head. But circumstances arose which led me to resign my seat for Tenterfield.

The Government had submitted to the Assembly some new railway proposals, one of which was from a small town on the tableland of New England to the town of South Grafton on the Clarence River,—the greater part of the distance, 103 miles, being over an unproductive, rugged, mountainous country where no settlement existed or could exist. The estimate was 2,000,000*l.* sterling. A member of the Government a short time previously had condemned this route as utterly indefensible, and other members of the Assembly, who were personally acquainted with the character of

the country, described it privately to their fellow members as one which only a madman would think of, and declared their intention of voting against it at all hazards. Yet I afterwards saw these very members, without a word of explanation, vote for the proposal which they had so vehemently condemned. This vote did not stand alone, though it appeared to be the most profligate. I had joined with the minority in resisting these proposals, but they were approved with insolent triumph. I felt that my life could be better employed than in this kind of warfare, and I said so in a letter to the electors of Tenterfield informing them of my resignation. I dare say my resignation was an imprudent act, but I fear I have often been guilty of imprudence. At that time I had no intention of seeking re-election to the Assembly, and was endeavouring to shape my life in the direction of other objects. Indeed, I can say with truth that Parliamentary life of itself has never had supreme attractions for me.

I advert to these circumstances, not with any view of reviving a discussion on the railway proposals of the Stuart Ministry (any such discussion would be outside the scope of this book), but because it is necessary in connection with a Ministerial effort made in the following year to degrade me in public life. A little more than three months later, the 'brilliant idea' of sending a military contingent to Egypt was opened upon the country by one of the Ministers (Mr. Attorney-General Dalley) in the absence of both the Prime Minister and the Treasurer. 'Brilliant' was the key-note to the foolish and ephemeral excitement. 'A History of the Patriotic Movement,' issued from the Government Printing Office a few months afterwards, presumably under properly instructed editors, announced to the world that the action of the Government was approved by the virtually unanimous voice of the country, 'as a bold and brilliant inspiration of genius.' But there

were two claimants for the 'flash of inspiration,' Sir Edward Strickland, K.C.B., as well as Mr. Dalley. The former in a published letter of Feb. 12, 1885, called upon, not New South Wales alone, but all Christendom, to rise and crush the Saracens led by the Mahdi before they became as formidable as their renowned ancestors. The Rump Ministry under Mr. Dalley met on the same day, and decided to send the following telegram to the British Government:—

The Government offer to Her Majesty's Government two batteries of its Permanent Field Artillery, with ten 16-lb. guns, properly horsed; also an effective and disciplined Battalion of Infantry, 500 strong. The artillery will be under the command of Colonel Roberts, R.A., the whole force under the command of Colonel Richardson, the commandant; and undertaking to land the force at Suakim within thirty days from embarkation. Reply at once.—W. B. DALLEY. Feb. 12, 1885.

The reply was not immediate, but on the third day after the 'brilliant inspiration of genius,' it came in these sober words:—

Her Majesty's Government accept, with much satisfaction, offer of your Government, upon the understanding that force must be placed absolutely under orders of General Commanding as to the duties upon which it will be employed. Force of artillery is greater than is required; only one battery accepted. Transport should call at Aden for orders. If your Government prefer the immediate despatch of your contingent, the War Office does not desire to delay it. Press comment very favourably on your splendid offer.

From the first moment all my faculties of common-sense and discernment, all my feelings of patriotism and loyalty to the Empire, were opposed to this movement, which I looked upon as uncalled-for, unjustifiable, and quixotic. Having no seat now in Parliament, I embodied my views in the following letter to the leading metropolitan journal:—

To the Editor of the 'Herald.'

Sir,—If it be the case that the movement for sending the greater part of our military force to Egypt is enthusiastically supported by the people of this country, then there is all the more justice in hearing what the unsupported minority have to say. So far as I am concerned, I am quite content to stand alone. If obloquy, or even denunciation, is to be measured out to those who dissent from the Government, I do not shrink from my share of the punishment. I think I see grounds for raising my voice as a citizen against the thing which is being done, and I will endeavour to explain what those grounds are.

I have no hard word to say of Mr. Dalley. Since he has been in office, Mr. Dalley has done many things well, and he has done some things in which I heartily concur. I shall be as well pleased as any of his friends to see his public services receive a fitting recognition. But Mr. Dalley has taken his view of the situation, and given effect to it with a vengeance; and I desire only to be allowed to take my view of the same state of circumstances.

In the first place, I deny the existence of any national crisis calling for the interference of a colony of 900,000 souls in the military movements of the Empire. The war in Egypt is a war of invasion against barbarous tribes, who, in comparison with us, are fighting on their own soil. There is no pretence on our part of conquest on the one hand or of the defence of human rights on the other. The whole lamentable struggle, as avowed, is to establish a government of purity and order out of elements of corruption and disorder, and then to retire from the soil of Egypt. England has set her hand to this sad task, and if she cannot accomplish it without our aid, she certainly will never succeed with our aid.

In the next place, I assert that there can be no greater folly than to foster a spurious spirit of military ardour in a country like ours, where every man is wanted to take his part, in some form or other, in colonising work. The economic aspect of the question presents features which would be ludicrous if they were not suicidal. With the right hand we are expending our revenues to import able-bodied men to subjugate the soil, while with the left hand we propose to squander our revenues to deport men to subjugate Sir Edward Strickland's 'Saracens.' However

men may delude themselves, this is not patriotism; this is not loyalty; this is not true British sense of duty. It is the cry of 'Wolf' when there is no wolf; and it is to be earnestly hoped that the fable will have no application when the wolf verily comes. All the misty talk about the 'tight little island' and 'heroic federation' will dissipate itself in the clear atmosphere of time and reason. Six months hence the colony will be ashamed of what is now being done.

But we are told that England accepts our noble offer. Yes; and has not Lord Rosebery telegraphed out to Mr. Dalley the inspiriting words, 'Well done!' But it is added on the other side of the world that the offer has been accepted 'in compliment to New South Wales.' For some little time past the good old colony has been of much use to the Imperial Government. It has enabled Her Majesty's Ministers to declare that the Australian colonies are not united in their claims about New Guinea and the islands of the Pacific. And within the last few days Mr. Dalley has piped bravely to the tune of Lord Derby and international colonisation. The good old colony deserves a special compliment.

The offer of our small body of artillery and infantry is accepted in a modified form, on an express condition which is worthy of consideration. It is accepted not simply 'on the understanding that the force must be placed absolutely under the orders of the General Commanding'—that would be easily understood, and only what all men would expect—but the force is to be placed absolutely under the orders of the General Commanding '*as to the duties upon which it will be employed.*' The words I have placed in italics are in no sense necessary to express obedience to military orders, but, combined with the refusal to accept the two batteries of artillery, they point clearly enough to the use which will be made of the soldiers from New South Wales. The pride of England must have fallen very low if she is prepared to exhibit the spectacle before the military Powers of Europe of her armies marching against the Mahdi and his barbarous hordes, supported by 600 men from one of her colonies. But putting aside all considerations of national dignity, is it conceivable that the New South Wales contingent will be sent to the front and Imperial troops left behind to do garrison duty? I attach every weight to the characteristic telegram from Lord Wolseley; but the genius of command in military as in civil affairs consists largely in the sagacity to dis-

pose of available forces to most advantage; and in the practical settlement of matters we may be sure that, while other duties have to be performed, our Australian heroes will have little chance of distinguishing themselves on the field of battle. In confirmation of this view of the case, your telegram this morning tells us that our men will be employed in protecting the navvies on the railway works between Suakim and Berber.

I have every confidence in the material of our little army of defenders, and believe that, if the occasion arises, they will give a good account of themselves. I see no reason why they should be of inferior metal or wanting in the highest qualities of the soldier. But we know the bias of officers who have commanded large bodies of regular troops; and it would be folly to expect a preference given to any colonial force over the highly disciplined men of the British army.

One word on the higher question of genuine loyalty. I yield to no man in attachment to the throne and institutions of England. But my notion of loyalty is a steady and consistent performance of duty as citizens of the Empire, at all times and under all circumstances, in principle and in policy, and as much in peace as in war. If a time should unhappily come when England shall be engaged in a great conflict with a great Power, even then, as I have already said, our first duty will be to hold inviolate the part of the Empire where our lot is cast; and, this sacred trust secured, to give life and fortune freely, if we have them to spare, beyond our own shores.

I am, &c.

HENRY PARKES.

Sydney, February 18, 1885.

I followed up this with other letters in support of my views; and soon other correspondents came into the field on the same side.

I do not think many persons who may calmly read this letter now will see in it anything more than a fair expression of my views of dissent. But all the papers published in Sydney set upon me like ravenous wolves. No term of obloquy was too black to be applied to me. If I had committed some shocking outrage upon public liberty, or if I had been a veritable 'Saracen,' I could not have been abused more thoroughly. Fortunately

for me, I had already learned to coldly appraise the wild censures or the wild praises of the newspaper press at their true value, and I do not think I slept less soundly for all this abuse. At first I stood almost alone in my opposition, but I felt assured the country would soon recover its senses. In the midst of the commotion—the foolish craze on the one hand, and the slow awakening of reason on the other—it appeared to me that there was but one way of constitutionally testing the opinion of the country, and I determined that, on the first occurrence of a vacancy, I would offer myself again for a seat in the Assembly as the most conspicuous opponent of the Government in respect to the Soudan Expedition, without regard to any other circumstance. The first vacancy occurred on March 17, 1885, for the Electorate of Argyle, a district where I had no connections and was personally a stranger, and where it was known that a large section of the electors would on sectarian grounds vote against me to a man. I offered myself on the ground I had taken up, and certainly I should never have offered myself at all if the Soudan contingent had not been sent away. The opposing candidate was a man of education and a fluent speaker, and he had the advantage of being connected with one of the Metropolitan daily papers which were engaged in the pleasant work of writing me down. The Government did not hesitate to use whatever influence they could command against me. One gentleman who was a member of the Stuart Ministry when it was first formed, though he afterwards retired, Mr. Henry Copeland, travelled all the way from Sydney with congenial companions to fight on the side of my opponent. Money was freely expended against me which, if it did not bring votes to the other side, brought custom to the public-houses. For my part I refused to sanction the expenditure of a single shilling in the public-houses, and in point of fact the

forty pounds, which the law required me to deposit with the Returning Officer before the nomination, covered my election expenses, leaving a small balance. As the result of the polling I was returned by a majority of some fifty votes. From this point the sickly enthusiasm over the 'brilliant inspiration of genius' paled away; and nowadays no one thinks of saying a word to excuse the Soudan Expedition.

The Legislative Assembly did not meet until September 8, when I took my seat as member for Argyle. Sir Alexander Stuart at once called attention to my letter to the electors of Tenterfield in November of the previous year, which was read by the clerk. I was called upon from the Chair for any explanation I desired to make; and I give the first part of my short speech:—

As I have said, Sir, I shall not seek to shelter myself behind a question of order, or avail myself of the circumstance that I was not a member of the Assembly at the time I uttered the sentiments complained of. As I understand the Colonial Secretary, he has felt it his duty to complain on behalf of some honourable members that on November 3 last I uttered these words:

In the present Parliament political character has almost disappeared from the proceedings of the Legislative Assembly, and personal objects—to put the matter in the mildest form—have, to a large extent, absorbed that kind of consideration which has taken the place of deliberation and legitimate debate. I have lately seen immense sums of public money voted away by private pressure and bargaining in the face of the openly avowed convictions of members so pliantly yielding up their consciences.

Those are the words which I understand have given offence. Those words are mine. Those words are sufficiently plain. I do not profess to be a very able exponent of the English language, but I think they are sufficiently clear to convey my meaning. That was my meaning then; that is my meaning now; and I see no reason to say one word to qualify, still less to withdraw, the words. I contend that I have said no more than the most illustrious members of the two Houses of the Imperial Parliament have continually said of conduct of which they strongly disapproved.

Sir Alexander Stuart, in a short condemnatory speech, then moved :—

That, in the opinion of this House, the statements made by the honourable member for Argyle, Sir Henry Parkes, in his address on November 3 last, announcing his retirement from the representation of Tenterfield, and published in the 'Sydney Morning Herald' of November 4 last, are a gross libel on this House.

This resolution, after a long and acrimonious debate, was passed by 31 to 27 votes.

Undoubtedly the intention was to follow this up by a motion for my expulsion, but after this rather unsatisfactory division, and a still more unsatisfactory count of votes, Sir Alexander and his friends agreed to drop the matter as disagreeable.

When the Speaker intimated that there was no motion before the House, I rose and uttered the following words as reported in the official debates :—

I shall feel highly dissatisfied unless some further step is taken. If we are to rest with this motion, the Government are doing that which to me is a far higher consideration than anything which can affect me personally—they are making a laughing-stock of the Parliament of the country. The matter as it stands now cannot affect me. There will not be one man in the country who will think less of me, but there will be tens of thousands who will think more of me, in consequence of this motion. It cannot injure me ; but if the matter stops here with a declaration of the opinion of the persons who admit that they are the objects of my censure—if it stops here with the condemnation of the very men who are the objects of the censure in which I indulged, what can it do but make the Parliament of the country a laughing-stock ? It is the crown of the folly of this House. From the time it first met until now, it has proceeded by one gigantic step after another in a course of folly, and this is the very crown of its folly. I snap my fingers at the motion, and I appeal from you to your masters, the electors of the country.

Hereupon Mr. Copeland, the same Mr. Henry

Copeland who travelled all the way to Argyle to oppose my election, leaped into the gulf. He 'quite agreed with my remarks,' and notwithstanding the expressions of opinion of the Government 'it was their clear duty to move the expulsion of the honourable member.' Mr. Copeland quoted numerous authorities in support of the course he proposed to take. In conclusion he said: 'If honourable members sit quietly by and say that because he (Sir Henry Parkes) is a prominent man, they will allow him with impunity to spit upon them, that was not his temperament. If that honourable member were twenty times as big as he was, he should under like circumstances take the same course.' He moved:—

That in consequence of this House having voted that the statements made by the honourable member for Argyle, Sir Henry Parkes, in his address of November 3 last, announcing his retirement from the representation of Tenterfield, and published in the 'Sydney Morning Herald' of November 4 last, are a gross libel upon this House, and in further consequence of the honourable member not apologising or offering to retract such statement, he be expelled from the membership of this House.

Not Sir Alexander Stuart, who made the first motion in such heroic form, but Mr. Dibbs, announced that the Government was satisfied with their majority of four, and had no intention of proceeding further, and that Ministers would vote against Mr. Copeland's resolution. After all his bluster and his trouble in searching for precedents and the waste of hours of the public time, Mr. Copeland quietly proposed to withdraw his resolution. This, however, was objected to by one of his own supporters.

When the votes were taken, the Ministers did not vote against the motion, only three of them taking their seats in the division, Sir Alexander Stuart and the rest of his colleagues being bravely absent.

I extract the division from the records of Parliament:—

AYES 2.

Tellers.

Coonan, W. T.

Copeland, H.

NOES 25.

Abbott, J. P.

Proctor, W. C.

Abigail, F.

Smith, R. B.

Burdekin, S.

Smith, S.

Burns, J. F.

Smith, T. R.

Cameron, A.

Spring, G.

Dangar, T. G. G.

Taylor, H.

Dibbs, G. R.

Teece, W.

Farnell, J. S.

Wisdom, R.

Fletcher, J.

Young, J. H.

Garrett, T.

Gould, A. J.

Heydon, L. F.

Tellers.

Mackinnon, J. A.

De Salis, G. F.

McQuade, H. M. H.

Hammond, M. J.

Question so resolved in the negative.

House adjourned at midnight.

From the circumstances connected with the railway votes of 1884 which led to these proceedings, I had made up my mind, if ever the opportunity came to me, to do my utmost to change the system of originating railway expenditure, and the principles of the Public Works Act of 1887 were already thought out and determined.

CHAPTER XIX

THE GENERAL ELECTION—I DEFEAT THE PRIME MINISTER AT ST. LEONARD'S—THE DIBBS MINISTRY DEFEATED IN THE NEW PARLIAMENT—SIR JOHN ROBERTSON FORMS A MINISTRY—HIS DEFEAT—SIR PATRICK JENNINGS SENT FOR—POLITICAL DESERTIONS—THE 'THIN END OF THE WEDGE' OF PROTECTION—VIOLENT PROCEEDINGS IN THE LEGISLATIVE ASSEMBLY—BREAK-UP OF THE JENNINGS MINISTRY—THE MOUNT RENNIE CRIMINALS.

THE eleventh Parliament, with which we were chiefly concerned in the last chapter, lasted a little short of two years and nine months. And into this short space of time the Stuart Government managed to crowd six separate and distinct Sessions,—a feat, so far as my knowledge extends, never performed before in any part of the world. One of these Sessions, as already explained, occupied a whole year and twenty-two days. This first wrench to the Constitution was mainly the wide source of the succeeding irregularities. In eighteen days after the prorogation, on November 19, 1884, Parliament was called together again for the sole purpose of granting Supply; and members were appealed to in both Houses, on the ground of their late protracted and heavy labours, to pass the Estimates *in globo* without discussion, the Government pledging itself, by the mouth of Mr. Dibbs, the Treasurer, to convene Parliament for the Session proper to 1885 not later than the early part of May. The Legislative Assembly pliantly responded to the appeal of Ministers, but the pledge of the Ministers was not kept to Parliament. The Session for the regular business of 1885 was not opened until September 8—four months later than the 'early part of May.' That I may not do an injustice to Mr. Dibbs, I quote his words from the official report of the Debates. In the Assembly, on November 19, 1884, he said:—

The Government is fulfilling the pledges of its existence as rapidly as possible. We trust to meet Parliament in the earlier part of May next, and in that Session to succeed in passing, and we shall certainly do our best in that direction, a Local Government Bill, and honourable members will then, as with the Civil Service Act, be relieved of much of their labour of a detail character, and be enabled to give their time to matters more specially within the functions of a legislature.

Between this date and September 8, 1885, there was a short Session, from March 17 to March 26, to enable Parliament to condone the illegal conduct of the Government in sending a contingent of the military forces to the Soudan. When Parliament did at last meet on September 8, to transact the business of the year, the opening speech promised a Local Government Bill and other important measures; but it was soon made evident that no business would be done. Ministers had presumed too far on their lease of power; the common-sense of the people had re-asserted itself, and there was a sense of outraged public feeling abroad. In less than a month, on October 2, a proclamation was issued, countersigned by Sir Alexander Stuart, proroguing Parliament. Another wrench to the Constitution of a different character was now on the eve of coming to light. Sir Alexander Stuart, as chief adviser of the Crown, prorogued Parliament, but on the fifth day afterwards, another man, as chief adviser, dissolved Parliament. In secret conclave the political cards had been reshuffled; Stuart, Dalley, and others had dropped out, and Want, Slattery, See and others had crept in, with George Richard Dibbs at the top, Prime Minister made nobody knew how, though everybody knew it was without the knowledge of Parliament. In the late Assembly Mr. Dibbs represented the district of St. Leonard's. When he offered himself for re-election as Prime Minister, I was induced to present myself as his opponent on the hustings, and I defeated him by a

majority of 500 votes. Mr. Dibbs was afterwards elected for The Murrumbidgee, but his Ministry survived only seventy-five days.

Some months before these events, Sir Alexander Stuart had unhappily been stricken by paralysis, and he was in New Zealand seeking restoration to health when the decision was arrived at to send the contingent to the Soudan. He had, however, recovered sufficiently to occupy his place in Parliament during the last Session.

The next Ministry was formed by Sir John Robertson. On receiving his commission, Sir John did me the honour to wait upon me, and he very handsomely left to me my choice of office. I told him at once that for several reasons, some of which I explained, I could not join him. He then said, with the utmost cordiality, that he was willing to go back to the Governor and advise him to send for me, and he would take office with me. I replied that during my absence from the colony he had been leader of the Opposition, that the Governor's commission had come properly to him, and that I could not hear of any such arrangement. He finally said that, if I would not join him, he would return his commission. This I begged of him not to think of doing, but to go on, and form his Ministry. I had some time before determined that, if any such crisis occurred, not to take office, and I had come to this determination for reasons which appeared to me then, and appear to me now, perfectly sound and justifiable.

Some ill-natured things have been said of me in consequence of my refusal to join Sir John Robertson at this juncture, and for that reason I shall quote a passage from a letter addressed by me to the late Mr. Thomas Garrett, which he read to the Assembly on December 22, 1885. A rumour had been circulated, that I refused to join the new Ministry because I

objected to Mr. Garrett, and that gentleman asked me to inform him whether such was the fact, and he read the following from my letter in reply :—

In reply to your note of this date, I can say without the slightest reserve that I was not influenced by any feeling towards you in declining to accept office with Sir John Robertson. I made no enquiries of Sir John as to whom he intended to offer seats in his Ministry, as my mind was made up when he called upon me, and you will recollect that I told you during the Want of Confidence debate that I would not take office. I may add that, if Sir John were to form a Ministry from the principal men with whom I have recently acted, including yourself, I should give to such Ministry an unhesitating support.

I must also quote what Sir John Robertson said himself in his explanation to Parliament in reference to his interview with me. Sir John is thus reported :—

I desire to say that on receiving the commission from the Governor to which I have alluded, without a moment's delay, on leaving His Excellency I waited upon my honourable and distinguished friend, Sir Henry Parkes, in the hope that he would take some part in a new Administration. Of course, from his great ability, his great experience, and his high position in the country, no restriction whatever was by me thought of or suggested to the honourable member. However, in a short conversation, the honourable member made it apparent that at that time he was disinclined to take office, and, in answer to certain observations of mine, he expressed his hope that I would not, in consequence of his determination, abandon the idea of forming a Government. At the same time he conveyed to me his appreciation of the great difficulties I had in my way, and his hope for my success.

Sir John Robertson's Ministry was a surprise to all parties, and it included men who were known to be inveterate Protectionists. It was said that he yielded to advice to form a Ministry of any complexion rather than fail in forming one. What he did naturally brought about a state of things in which the new

Government had to confront not only the legitimate Opposition, but a large dissentient section of the side on which alone it could depend for support. The policy of the Government, as put before the electors, and as put before Parliament, was, to use the mildest terms, unhappily explained; and, after much debate, a resolution was submitted in the Assembly: 'That the policy of the Government is unsatisfactory to this House.' I took no part in the debate on this motion, but beyond all question it expressed an indisputable truth, and I, with some reluctance, voted for it, with eight other members who, before and since, have held office with me.

On the defeat of the short-lived Robertson Ministry, Lord Carrington sent for Sir Patrick Jennings, who apparently aimed at drawing what he mistook for strength from both sides of the House. The Ministry which he succeeded in constructing included gentlemen who had served with me, and gentlemen from the Stuart-Dibbs party, to whom they had been bitterly opposed. If this expedient in Cabinet-making did not give the strength expected, it certainly had the effect of weakening the public character of the persons most conspicuously concerned. Sir Patrick Jennings, who is an amiable, well-meaning, honourable man, soon found that he had created for himself a situation of insupportable misery. He placed Mr. Dibbs in the great office of Colonial Secretary, taking himself the Treasury, and forming, in imitation of an absurd step in some of the other colonies, what he called 'the Premier's office.' Mr. Dibbs contrived to quarrel with him in official intercourse, set him at defiance, flouted him in public, and converted his bed of roses into a garden of thistles.

In the last Stuart days, and throughout the troubled life of the Jennings Ministry, repeated confessions had to be made of a failing Treasury, each time with a

larger sum on the wrong side of the account, until at length it was admitted that the deficit far exceeded two millions sterling. In addressing his constituents, Sir Patrick Jennings had informed them, that additional revenue must be obtained, but that, whatever form the new taxation might take, the Ministry would not be guilty of 'sneaking in Protection.' This phrase was remembered with scornful gibes and mocking denunciations when he himself introduced a Bill to largely increase the Customs revenue by the imposition of specific and *ad valorem* duties. It was vehemently contended that this was a reversal of the settled policy of the country, and was being done behind the backs of the people, who had been assured by the Prime Minister that he would be no party to 'sneaking in' Protection. Resistance was carried to extreme lengths. The Government determined to force their measure through at all hours of the night and by any available means. They supplied their supporters with pillows and blankets, and put them to bed in the ante-rooms, to be awakened when the division bell rang. This unreasoning attitude of the Government naturally provoked a corresponding spirit of violence in the Opposition, and language was used, and means were adopted, which were utterly unjustifiable. All-night sittings extended into day-and-night sittings, but with no advantage to the Opposition. The Bill passed, and became law.

I spoke on the second reading of the Bill, and I give the concluding portion of my speech. It will be seen that, yielding to the tempestuous excitement of the hour, I declared with others that the Bill should never become law. But all that we could do failed in the end to arrest its progress:—

In the year 1852 the late Sir Edward Deas-Thomson carried through the old Legislative Council a Bill to impose Customs duties, and that Bill followed as nearly as possible in the light of

great English precedents. It reduced the number of articles on which revenue was collected to about the same number as that in the English tariff, or only one or two more. And it is very remarkable that it reduced the duties on tea and sugar to one-half the present duties on those articles. The Deas-Thomson tariff left the duty on refined sugar at 3s. 6d., unrefined sugar, 2s. 6d.; molasses, 1s. 6d.; on tea, 1½d. The duties were doubled before the Constitution came into force—I think at the time when Mr. Merewether was Acting Treasurer, during Mr. Riddell's absence in England on leave. The Government, however, wanted revenue, and the tea and sugar duties were doubled; but as Sir Edward Deas-Thomson left them, they stood at the low rates I have quoted. The tariff, as I have said, almost copied what had been achieved in England. In the year 1865 a great alteration was made. In the year 1873 another great alteration was made, and now it is proposed to make another great alteration. Now, I will show to the House and the country, that under freedom, here as elsewhere, the country progressed, and that during the pressure of the duties which were imposed in 1865, and until they were removed, the country was stationary. If I prove that, I think I make out an unanswerable case for maintaining a free policy in this country. I shall give the figures first, and then I shall show by an analysis of the figures how the country went on under the two different systems. From 1852—we will say 1853, because the Bill was passed late in the year—from 1853 to 1865 the country appears to have made very decided progress. In the last year the value of the imports into this country stood at 10,635,507l., the value of the exports at 9,563,811l., the revenue at 1,938,656l., while the population was 411,388. In this year, 1865, which is represented by the figures I have just read, revenue was wanted, and without much regard either to principle or to symmetry, let alone scientific lines of construction, duties were imposed on the country. They were all Customs duties. There were specific duties, a 5 per cent. *ad valorem* duty, and there was a package duty. They lasted for eight years; and remember that in 1865, when they were imposed, the imports were of the value of 10,635,507l. In 1873, when they were abolished, after eight years, the imports stood at 10,471,483l. Instead of progressing they actually diminished during the eight years. That is our experience under a system such as that which we are now asked, in the

madness of its authors, appealing to some madness in ourselves, to pass. We have had it before, when the country under its pressure made no headway. The same amount of imports when it commenced measured the amount of imports when it ceased, and the exports declined also. Do not think that the volume of trade mounted up in the interim. It sunk as low as 6,000,000*l.* It never was as high as 10,000,000*l.*, when these duties were levied. These are our own figures, from our own records. We imposed these destructive duties; and the effect was to arrest the progress of our trade for eight years, so that at the end of that time you stood at the same figure as you did when you commenced. Nay, you had receded. Very well, the package duty expired by effluxion of time the year before the time alluded to. In 1873 the other duties were all abolished, except what remain on the tariff to-day. Let us see what the country has done since. I have shown from our own records—which admit of no alteration, admit of no misinterpretation, admit of no other explanation—that throughout the eight years of this taxation the country stood still in the volume of its trade; and I will tell you what it did when the taxes were taken off. I have just stated that in 1873 the imports were 10,471,483*l.* The exports were 9,387,873*l.* In 1884, after the expiration of eleven years, the imports amounted to 22,826,985*l.*, and the exports have doubled; they stood at 18,251,506*l.* So here you have our own experience. You tried freedom under the guiding hand of Mr. Deas-Thomson, and you made a great advance. You tried restriction for eight years, and you stood still; nay, you went back. And the records are open to all the world. You cannot deny them. You tried freedom for eleven years, and your trade doubled. Let us see how the revenue fared. In 1865, when the duties were imposed, the revenue was 1,938,656*l.* In 1873—and this makes our trade stagnation the more remarkable, because the revenue did progress by reason of the fruits of these duties and the disposal of land—the revenue stood at 3,937,975*l.* In 1884 the revenue was 7,000,000*l.*, notwithstanding the cessation of the land revenue. The population in the first year to which I have alluded, namely 1865, was 411,388 souls; in 1873 it was 560,275; and in 1884 it had increased to 921,268. A large number of these souls, as was shown by the honourable member for East Sydney last night, came from the Protectionist country of Victoria. This will be seen perhaps more strikingly if I

give the percentages of the increase. In twelve years of Mr Deas-Thomson's tariff the imports increased $67\frac{1}{2}$ per cent., the exports $111\frac{1}{2}$ per cent., the revenue 135 per cent., and the population 80 per cent. In the eight years of the Customs duties—*ad valorem* and specific duties exactly like these—the imports were stationary, and the exports remained stationary too. The revenue increased 113 per cent., and the population 35 per cent. In eleven years of freedom, from 1873 to 1884, the imports increased 120 per cent., the exports 100 per cent., the revenue 193 per cent., and the population 70 per cent. Answer these figures. Try to answer these figures, and human reason must fail, because human reason cannot accomplish impossibilities. And until you have answered these figures you have no title to ask us to roll back the tide of freedom and bring in an era of darkness and slavery. At least you must have a mandate from the electors of the country before this great national suicide is committed. You have no moral right, you have no right, against reason and understanding, again to commit this flagrant wrong, and to roll back the tide of our prosperity, unless the electors of the country are blind enough, mad enough, to give you this suicidal mandate. What does the honourable member want? Has he not got a fair prospect of increasing the stamp duties? Has he not a fair prospect of getting a land tax? Has he not a prospect of getting an income tax? He can milk the country by the teat of a stamp tax, he can milk the country by the teat of a land tax, he can milk the country by the teat of an income tax. Will he go on milking till he milks the country dry? I would appeal to him in the language of the Irish poet :

If thou art strong, be merciful,
Great woman of three cows.

Do not tax us to death. Have some mercy upon us. Do not take more than you want. The taxes you are imposing will simply oppress the people; but this tax will not only oppress the people, it will disorganise all our commercial arrangements; it will destroy our reputation in civilised countries; it will take away our fair prestige which we have so honestly won. It will not make you famous, but the reverse. It will do no good to anyone, and it will inflict an enormous evil upon the struggling classes at the present time in this country. Why, it would be better for us to have a volcano in eruption than to have a tax

like this ; it would be a less misfortune. Twelve hundred miles of stormy sea between us and New Zealand does not afford us safety from the disasters which have caused such dismay to our fellow-subjects in that country. Our Mount Tarawera is on the Treasury Benches, belching forth its poisonous fumes, and tainting the pure air which hitherto has fed us with such lusty life, sending its black clouds far and wide over the land, covering the fair face of our commerce and industry with the pestiferous ashes of a worn-out fiscal creed, and threatening to bury us beneath the deathly-coloured 'blue mud' of old-world laws of restriction and repression. It would be better for us to suffer from these destructive natural catastrophes than to have a thing of this kind invented in our midst—invented behind the backs of the electors, and by men who dare not take this Bill before the face of the country. There is not a man amongst them who dare stand up and defend this treason against the country. There is not a man amongst them who dare appear before his constituents and say, that he is inflicting upon the country this enormous wrong. I feel quite assured of this, because I believe in the principle of a great cause at all times, that this Bill will never become law. It never shall become law so long as others will stand by me to resist it.

Mr. DIBBS : Stonewalling !

Sir HENRY PARKES : Stonewalling ! Why, there is nothing that human ingenuity can contrive that is not justifiable against a treason like this. Put the issue fairly ; go to the electors, and if the electors will support you, we will accept your nauseous measures till a more enlightened time arrives. But you dare not go ; not one of you dare go to the electors with this Bill in your hands ; and I am thankful to think that even here we are still Britons, and, knowing that we have a just cause, we will stand together, and will resist this iniquity, this gigantic treason, until our resistance shall justify us before the enlightened portion of the country, and shall redeem our dear land from this heavy affliction.

Sir Patrick Jennings at the same time introduced a Bill to impose a land tax, which received my support at nearly all its stages through the Assembly ; but it was ultimately lost.

While these struggles were going on in Parliament

I delivered a speech at a public meeting in one of the Metropolitan suburbs, on August 16, 1886, which fairly expressed my view of the mischief which had been done, and was still being done, since the accession to office of the Stuart Ministry in 1883 :—

He was not going to indulge in any declamatory speech, but it was his intention to put before them, in plain and simple words, what, from his point of view, was the true position of public affairs in this country. He should try to show them the condition this country was really in, compared with what its condition was a few years ago. It was very possible that many persons would suspect him of seeking to carry out his own views ; if so, their suspicions were well founded. The man who had any well-founded and earnest opinions on public questions must be anything but a straightforward man if he did not desire to give effect to them. Now let them look fairly and dispassionately at the present state of things. The Parliament of this country had been in session nine months. The work of Parliament in this country ought to be performed in less than six months. It was so performed in the other colonies. The Imperial Parliament, as a rule, transacted the business of the Empire in less than six months. It was essential, absolutely necessary, that a Government should have time to attend to the real business of the country—the administration of the Civil Service departments and the due execution of the laws ; and the work in Parliament ought to be the lesser part of Ministers' work. We had been in session nine months, and we might really say we had done nothing. He would glance at what he thought were the causes of nothing having been done. His review of the affairs of the country would stretch over the time dating from the period when he and his colleagues retired from office three years and eight months ago. Of course he was not going to pass in review what he and the gentlemen associated with him did during the time of the Ministry which retired at the beginning of 1883. Others might do that in the same way as he was doing now. He would simply deal with the period which had elapsed since his retirement from office. During that time there had been to his mind singular irregularities in the conduct of business. For example, during that period there had been seven Sessions of Parliament, or nearly double the

number we ought to have had. In our country the financial year extended from January 1 to December 31; we ought to have one Session in each period of twelve months, and during that Session we ought not only to pass the necessary laws but to pass sound and good laws. It was not particularly desirable that private members should introduce measures; the Government should introduce and pass into law all the measures to meet the present needs of the country. And if the Government of the day had not the power to pass those measures, their inability to do so supplied the proof that they were not entitled to hold office. One safeguard of our constitutional form of Government was that the Crown, whether represented by the Sovereign or by the recognised representative of the Crown as in this colony, should not have a penny of money beyond the needs of one year; hence the necessity for Parliament to meet once in every year, and hence the necessity that it should carefully consider the estimates of expenditure before sanctioning their appropriation by law. The law making provision for the public service of 1887, for example, ought to be passed before the expiration of the year 1886, in order that the Government might be constitutionally and satisfactorily carried on. In other words, to make his meaning perfectly clear, the estimates of expenditure for the year of 1887 ought to be considered by the Legislative Assembly and legally appropriated before December 31 this year. So far from this being the case at the present time, though they were more than half through the year, we had never yet considered the estimates—not simply the estimates for the coming year, but not the estimates for the current year. That would give some idea of the state of public business. It was supposed that their representatives would carefully examine and honestly criticise all proposals of expenditure, but as the moneys for eight months of the year had already been voted away in monthly Supply Bills, they would see that it was a farce to talk of considering the estimates now the money was gone. Some years ago the late Mr. Fitzpatrick proposed a resolution and carried it against the Government then in power, that Parliament ought to meet for the despatch of business not later than the month of May. The resolution stood on the books of the House, but it had been disregarded. The object of this resolution was that the business might be wound up before the close of the year, and that there might be a clean sheet for the next year. If they remembered that the estimates of ex-

penditure amounted to 9,000,000*l.* of money, they would see how necessary it was that their representatives should consider them. Yet for nineteen months there had been no deliberate consideration of the estimates of our public expenditure. In his judgment the present Government fairly represented the Government formed three years and eight months ago by the late Sir Alexander Stuart, and for all political purposes he must consider the party, as it stood before the country, one and the same. Three of the present Ministers, Sir Patrick Jennings, Mr. Dibbs, and Mr. Copeland, were members of the Ministry which took office early in January, 1883. Mr. Lyne and Mr. Garvan were strong supporters of the first Ministry, though the latter gentleman fell away in his support afterwards. It was true that Mr. Suttor, Dr. Renwick, and Mr. Fletcher had joined them, but these were weak men and had suffered themselves to be absorbed in the old element; the Jennings-Dibbs members were the dominant force. Dr. Renwick had told them that he intended to keep Mr. Dibbs in order, so that he should do no harm; but it seemed to him that the relations between these two Ministers were those of an overgrown boy with a poor little bird safely shut in a cage. He would like to show what they had got from the long reign of gentlemen who had in one shape or other held the reins of Government in their hands since the beginning of 1883. In 1882 the estimated expenditure was 5,961,368*l.* This year—and let them remember this was a year when everyone admitted that the utmost exertion should be exercised to reduce expenditure—when they were threatened by new taxes on every hand, when every interest had been suffering a long and painful depression, when there was not a single branch of trade or industry which could be said to be in a soundly flourishing state; this year, when all these things existed, and all these obligations to economise were thrown upon the Government, the estimated expenditure was 8,571,855*l.*, or an increase since 1882 of 2,610,485*l.*, or more than 2*l.* 10*s.* per head for every man, woman, and child in the country. If they would bear these facts in mind they would see what a downhill process of expenditure they had commenced, to increase in less than four years their expenditure to this extent. Now, he was going to show by-and-by the increase in population, expenditure, and debt in that time. But it would be interesting if he were to give them figures showing how our public debt had increased. In the year 1880 we had enjoyed

Responsible Government since the year 1856, just twenty-four years, and in that year (1880) the public debt stood at 14,903,919*l.* In 1881 it had risen to 16,924,019*l.* In 1882 it had risen to 18,721,219*l.* It would seem that in those three years the debt rose gradually and not by very excessive strides. And he would now require his hearers to fix, as a starting point, upon the year 1882, when the debt, after twenty-six years of Responsible Government, stood at 18,721,219*l.* The change of Government took place at the beginning of the next year. In the year 1884, the second year of the new men, the debt had increased from 18,721,219*l.* to 30,101,039*l.*, or in those two years it had increased by the enormous sum of 11,380,720*l.*, or it had increased by more than 60 per cent. on the total debt of all the years of Responsible Government up to 1882. Now, at this present time, the public debt of this country was 41,064,259*l.*, or it had increased upon the debt of 1882 by the tremendous sum of 22,343,040*l.* The interest on the debt—and he wanted them to pay particular attention to this because it meant that they had to find it every year of their lives—in 1882 was 640,518*l.* In 1886 it was 1,646,681*l.* 1*s.* 8*d.*, or, in other words, after four years there was added to the annual expenditure of this country the sum of one million sterling for interest on borrowed money. Now they understood why taxes were wanted. This interest, supposing it did not increase for some time, was 1*l.* 13*s.* per head for every man, woman, and child in the country. No wonder—with this large increase in the public debt—no wonder that the revenue had failed to meet our engagements. No wonder that the Legislature was called upon to impose new taxation, no wonder that many things which should be done for the real benefit of the country could not be done; but still extravagant expenditure went on for unproductive works, and those not necessary for the general happiness of the people. It was, then, no wonder that we found ourselves in a difficulty. Before he said anything further on the present state of things, he must say a few words about the late Treasurer, Mr. Dibbs. He charged that gentleman with an almost unpardonable political offence, in concealing for so many months the great difference between revenue and expenditure. So far back as April last year he (Sir Henry) offered himself as a candidate for Argyle. He went there—not merely to obtain a seat in Parliament, but because things had been done which, in his view, were unjustifiable and which called loudly for

a public protest. At that time, now considerably over twelve months ago, he stated distinctly that whenever the exposition of the financial affairs of the country was made there would be a deficit of over a million sterling. It was denied at the time and laughed at, and he was called by every kind of uncomplimentary name. In the general election, for reasons which he considered justified him, he threw himself into a contest with Mr. Dibbs himself, then Premier of the country, and he was glad to say that he beat him by a very large majority. But in that contest he again repeatedly stated there was a deficit of a million sterling. That statement was again laughed at. But a very short time afterwards Mr. Dibbs had to acknowledge that the deficit was nearly 1,100,000*l.*, and it turned out that he had not given the full amount. The Governor, or the gentleman acting in his place, who opened Parliament was made to say that Parliament would not be asked for new taxation, notwithstanding that Mr. Dibbs must have known that there was a deficit of considerably over a million of money. No wonder that men with the slightest conception of the true principles of Parliamentary government were annoyed beyond measure that, after these great political crimes, this gentleman should be placed in his present important position. As to the legislation of these disastrous years, they had got the Land Act, which one of the greatest Australian lawyers said was as incongruous and unworkable a measure as he had ever seen, and which satisfied nobody in its provisions for the management of the public estate. Where was the revenue they expected to get from this Act? In some districts the administration of the Act more than swallowed up the revenues received under it. No one seemed satisfied with it, and the pastoral tenants were loudest in their complaints against it. They had also a most crude and unworkable and unjust measure in the Civil Service Act. If they had to make laws for the regulation of this service, they should have been made in the interests of the people for whom the service is created. The service should be regulated in the interests of the country, and not exclusively in the interests of the Civil Servants themselves. Besides this, they had had offices multiplied in the most reckless manner and salaries increased without much regard to the merits of the recipients, and they had had pensions lavishly increased. Now they had a perfect cloud of measures for imposing taxes upon the people. Hitherto the proud boast of New South Wales had been

that they were the lightest taxed of all the colonies. Now they would have to hang down their heads and confess that they were the heaviest taxed of all the colonies. Hitherto it had been their proud boast that, while they were making more rapid progress than the other colonies, their public debt was the smallest. Now, unhappily, their debt was the largest, and these things had been brought about in a period of less than four years. Let them contrast their increased expenditure and indebtedness with the increase of population. In 1882 the population of this country was 817,468 souls, now it was a little over a million, or an increase of not 25 per cent. Their expenditure had increased 50 per cent., and their indebtedness had increased 120 per cent. He asked them to pause and think where this course of things must lead them. Population constituted the strength of a free State. Gum trees and cedar brush, treeless plains and fertile valleys, were of little value in themselves. It was men and women, spread over the country in happy conditions, which gave to it life, prosperity, and power. Was it any wonder that there was stagnation, want of trade, want of employment, want of profitable investment—that things were not going right—when, with an increased population of not 25 per cent., they had increased their expenditure by 50 per cent., and, above all, when their debt had increased 120 per cent? That was the condition of things to which they had been brought by the new rulers of this country. He would try to honestly explain the new burdens which the Government were endeavouring to place upon the people of the country. They had increased the stamp duties. These duties were often harassing, but all taxes were more or less objectionable, and he for one had given his assent to the measure in order that the Government might have money to preserve the public credit. Then there was the Customs Duties Bill, which they had fought so desperately. It was a very peculiar measure. It really in itself offered no particular inducement to the votaries of Protection. There was no duty imposed by this Bill which, as it stood, would have any appreciable effect in protecting articles made in this country. For example, the 5 per cent. *ad valorem* duty would have no very appreciable effect in protecting cabinet-making. He supposed the advocates of Protection espoused the Bill because it really introduced the principle of Protection, or to use a homely phrase, it introduced the thin edge of the wedge. And, of

course, if once introduced and incorporated in the laws of the country, it would be easier to put some new force on the screw or to drive the wedge farther. The gentlemen who honestly believed in Protection hailed this measure on account of its introducing the principle of Protection. But what were we to say to the specific duties which this Bill imposed? These duties actually raised the present duty in some instances 100 per cent. and in other instances 50 per cent., without having any effect upon native industries, because many of the articles thus heavily taxed would never be manufactured in this country. The taxes directly pressed upon the poorer portion of the community, and upon those persons who could least afford to bear the pressure of taxation, without doing good to anybody. And, in some instances, the duty imposed was of such a character that persons well acquainted with trade said that it would prohibit the commodity altogether; and, therefore, there would be no revenue derived from it. In other words, the measure was a crude and an ill-considered one, and had been produced without any knowledge of the fiscal principles which would inevitably operate in its working. The measure did not in its present form afford protection, and it unnecessarily meddled with men's affairs. Free trade did not alone mean the absence of an active policy of Protection, but it meant the absence of all unnecessary and vexatious impediments and interferences. Importers should not be interfered with, any more than persons following some industry in the fields or the mines of the country, unless such interferences were absolutely necessary for the needs of the State. But in this Bill, so far from it being necessary for the needs of the State, in some cases the tax acted so badly as to exclude the article taxed from the market. Then there was the Land Tax Bill before Parliament at the present time. And if any of his hearers had noticed the proceedings in Parliament on Thursday, as reported in the papers, they would have seen that, though the House was in a good temper and ready to assist the Government, still they spent nearly all the evening over one clause, it being found so difficult to see how that clause would operate without injustice to encumbered properties. It was a clause which in no way distinctly defined how the tax should be imposed in regard to mortgaged land. So that, without there being any desire to oppress, it would act oppressively upon men in straitened circumstances. Then there was the Income Tax Bill. To show how that would operate he might say that he

knew persons whose business amounted to 3,000*l.* to 4,000*l.* a day, and he had been assured by more than one of these gentlemen that during the last twelve months they had not made a single penny owing to the bad times; they were simply living upon the fruits of former operations. How unpleasant and distressing it would be to these persons to have to explain to the tax-collector the real condition of their affairs. The inquisitorial reach of this tax would be the worst part of it—far more harassing than the mere burden of the tax. These were the measures now engaging the attention of Parliament; and no wonder if men at times lost their balance in contending against measures of such a kind, and in trying to protect the country against heavy burdens, unjust interference, and, in some cases, cruel oppression. No wonder resistance went to a length sometimes, which people sitting at home in their arm-chairs thought hardly justifiable. But he thought it was gratifying to know that there was a spirit of resistance in the Legislative Assembly capable of rising courageously to meet what was believed to be unjust. With regard to Protection, this country had for many years past been known all over the world as a Free-trade country, and he believed we were favourably known because we were Free-traders. We once lived for a period of eight years under a system of duties very much the same in character as those proposed to be levied by this Customs Duties Bill. We lived under that system for eight years, and during that period we made no progress in our commerce, while the very opposite was the case when the duties were taken off. The other day a wise alderman at the Glebe stated that, if we only had Protection, instead of sending the money out of the country to buy railway plant we should have the railway plant made in the country and have the money also. A man so wise as that was above the reach of argument. It never occurred to that alderman to give himself the trouble to examine into the inevitable laws of exchange and international trade, which were as exacting and true as the laws of nature. You could not import anything by sending your money out of the country as a rule; though that might be done in a trifling, isolated case. You could not import without exporting; and your imports were the measure of the real value of your exports. As an illustration, he would suppose a man to invest 10,000*l.* in horses for the Indian market. He chartered a ship and took his horses

to Bombay, where he sold them at prices which gave him 5,000*l.* profit, clear of all expenses. He would not bring back his ship in ballast and his 15,000*l.* in Indian coin; but he would purchase rice or sugar, or other produce of Indian labour, and, if he purchased well, his clear profit on his new venture might be, say, 2,000*l.* So that the complete transaction between Australia and India would be represented by exports 10,000*l.*, imports 17,000*l.* Would anyone say that the balance of trade was against Australia? Was it not clear that Australia would gain 7,000*l.* of additional wealth by the transaction? So it was in the purchase of British manufactures. If, to pay for them, the merchant bought a draft on London for 50,000*l.*, the Bank would not send sovereigns away to meet it, but it would be met by the proceeds of Australian produce. No country could for any continuance import more than it exported. If they cast their eyes abroad, they could see that Protection was identified with despotism. The despotic countries of the world were all highly protective. Certainly the Melvilles and Luscombes would be protected if they got into a country like Russia or Germany—they would be protected off the face of the earth. There was only one free country that had advocated a protective policy—the United States of America. And some of the wisest and most enlightened as well as cultivated of American citizens were as strong Free-traders as Mr. Gladstone or Mr. Bright. They must not for a moment suppose that because there was a high protective tariff in that country, that there were none who objected to it. If these men had not succeeded in changing the tariff, they had ameliorated it. There were signs that gradually they would change it. But if they went to England which had adopted Free-trade, and to her eternal honour had adhered to that policy, they would see that she was carrying on nearly all the trade of the world. Her ships swept the sea in greater number than nearly all the other maritime nations put together. Her flag was flying everywhere. Where they saw the flag of Germany, of France, or of the United States, they saw twenty vessels bearing the grand old flag of Great Britain. She was still empress of the seas, and carried the commerce of the world. Not merely was she in advance of other nations in this respect, but of all others put together, and her exports had swelled to an extent never dreamt of in these times of Protection. But

freedom was freedom. They could not be free and bound by artificial laws. Freedom meant that every man should stand erect and take his own part in the industrial and commercial world without any person telling him where to go, and without any occasion to ask the leave of any person, and without any law that implied that his own intelligent enterprise was a breach of his individual freedom. But men could not be free under protective laws. Freedom was freedom, and there was no modification of it. And it was abundantly proved that in the time of despotism, when men had no voice in the management of their country and barbarous laws took away life for trifling crimes, when education lay dormant and the children grew up in ignorance—that when this state of things existed, then was the time for the triumph of Protection. The mother-country had emerged from this dark condition of humanity, and had burst her fetters and freed herself from all the burdens which still oppressed less favoured nations; and to the honour of the English nation she bravely upheld her radiant standard of freedom. People talked about Protection benefiting the working-man. Those who talked this palaver about the working-man were generally those who never did a day's work themselves. But to talk about Protection benefiting the masses who had to earn their bread by the sweat of their brow, how could it benefit them? How could it benefit the farmer to have 6*d.* a bushel put on imported wheat if taxes were imposed upon every article his wife and children wore or he used on his farm? How could it benefit the tin-miner or the coal-miner to have a tax on every article they consumed? How could it benefit the tradesman? How could this Protection be for the benefit of the working classes of the country? He said now, as he had always said, that the great body of the people of the country ought to share in the fruits of civilisation. Civilisation must be imperfect if it did not raise the condition of the large masses of the people and make their toil lighter, their chances of instruction and elevation better and more certain, but it could never do this under Protection. Our safety was in the bright light of general freedom. He trusted, if the conflict should come between Protection and Free-trade, that there was sufficient stamina in the people of this country, sufficient British intelligence, sufficient power of examination, to enable them to maintain their freedom by preserving the freedom of all their fellows. In this effort there was a spirit

required which he hoped, when the time came, would not be wanting—a spirit of fervid attachment to what was high and noble. They ought not to be ashamed to bow down in reverence to what was lofty and noble in the progress of mankind, and to honour those who had shown themselves to possess the attributes of strength and courage to resist assaults upon the cause of good government. How could any man do other than honour, and pay reverence to, those illustrious men who had illumined the public life of England—who had laboured so long, so faithfully, so nobly and so successfully, to raise the country to the proud position she occupied to-day! There was an attachment to principle, and an attachment to forms of glory as well as to the substantial securities of justice and freedom, which ought to animate all of them on trying occasions, let them tread in whatever walk they might. He did not know how better that could be illustrated than by an incident in that terrible civil war which raged between the Northern and Southern States of America. When Stonewall Jackson marched at the head of a Southern army into Frederickstown, the inhabitants pulled down the Stars and Stripes in all directions. There was one old lady, fourscore years and ten, Barbara Fritchie, who resolved to stick to the flag. Whittier had immortalised her in these lines:—

In her attic window the staff she set
To show that one heart was loyal yet.

But Stonewall Jackson saw the contumacious flag. He called upon his men to halt; a volley of musketry cut the staff and riddled the bunting. What followed?

Quick as it fell from the broken staff,
Dame Barbara snatched the silken scarf.

She leaned far out on the window sill,
And shook it forth with a royal will!

‘Shoot, if you must, this old grey head,
But spare your country’s flag,’ she said.

A shade of sadness, a blush of shame,
Over the face of the leader came.

The nobler nature within him stirr’d
To life, at that woman’s deed and word.

‘Who touches a hair of yon gray head
Dies like a dog; march on!’ he said.

That embodied the true spirit which ought to live in a true citizen in any contention for the public good. There ought to be the courage to do all that the occasion demanded—the loyalty to adhere to what he believed right, through good report and bad report, to the very last.

A member of the Upper Chamber, the Honourable W. R. Piddington, who had held office twice as Treasurer, moved for a Return of the ‘ordinary revenue and disbursements’ for the seven years 1879–1885 inclusive. This Return, dated from the Treasury, August 11, 1886, which tells its own tale, is copied hereunder :—

CONSOLIDATED REVENUE FUND, 1879 to 1885.

(RETURN.)

Printed under No. 14 Report from Printing Committee.

Return to an order of the Honourable the Legislative Council, dated June 10, 1886, That there be laid on the table of this House,—

‘ A return, showing in columns the ordinary revenue and disbursements on account of the Consolidated Revenue Fund for the years 1879, 1880, 1881, and 1882, with a parallel column exhibiting the surplus or deficiency in each year, and a statement of the average expenditure per annum during the four years enumerated, and the name of the Ministry in office during the above period. Also a similar return on the same page, showing, in columns, the ordinary revenue and disbursements on account of the Consolidated Revenue Fund for the years 1883, 1884, and 1885, with a parallel column exhibiting the surplus or deficiency in each year, and a statement of the average expenditure per annum during the three years enumerated, and the name of the Ministry in office during the above period.’

RETURN OF REVENUE AND DISBURSEMENTS, 1872-85 449

(Mr. Piddington.)

Year	Revenue			Disbursements			Surplus	Deficiency	Average Expenditure per annum			
PARKES MINISTRY.												
1879 .	£	s.	d.	£	s.	d.	£	s.	d.	£	s.	d.
1879 .	4,475,059	8	11	5,838,903	0	19	—	1,363,843	11	11	} 5,881,861 15 7	
1880 .	4,904,230	3	2	5,558,155	19	11	—	653,925	13	9		
1881 .	6,707,963	2	4	5,782,677	16	8	925,385	5	8	—		
1882 .	7,410,737	0	4	6,347,810	7	11	1,062,926	12	5	—		
Total .	23,497,989	14	9	23,527,447	2	4	1,988,311	18	1	2,017,769	5	8
STUART MINISTRY.												
1883 .	6,470,341	0	5	7,794,088	5	2	—	1,323,747	4	9	} 8,255,678 14 8	
1884 .	7,117,591	14	5	8,411,010	11	11	—	1,293,418	17	6		
1885 .	7,587,367	15	7	8,561,937	6	11	—	974,569	11	4		
Total .	21,175,300	10	5	24,767,036	4	0	—	3,591,735	13	7		

J. PEARSON, Accountant.

The Treasury, New South Wales,
August 11, 1886.

This Session of the Parliament, which was brought into existence by Mr. Dibbs's dissolution, was opened on November 17, 1885, and it was closed on October 25, 1886; and it was virtually the only Session of that Parliament, for though it met again on January 18 following, it only met to be dissolved. After the prorogation in October, the internal broils of the Ministers grew insensible to the observance of public decency, and Sir Patrick Jennings, in desperation to escape from his galling fetters, tendered his resignation to the Governor. I have no knowledge which would justify me in supposing that Sir Patrick himself was a party to any design for another re-shuffle of the political cards as in the case when Sir Alexander Stuart retired to make way for Mr. Dibbs; but there can be but little doubt that the calculation among his colleagues was, that one of them would be commissioned to reconstruct the Ministry.

The Governor, however, took a different view, and accepted the resignation as absolute. It is possible that His Excellency thought, after his year's experience, that the public interests would be best consulted by an entire change of men.

During the Ministry of Sir Patrick Jennings an event memorable in the criminal annals of the colony occurred in the execution of four young men, some of them scarcely more than lads, for the crime of rape. The occurrence naturally awakened a widespread painful feeling. I was appealed to by the Right Honourable William B. Dalley to make one with His Eminence Cardinal Moran, the Right Rev. the Bishop of Sydney (Dr. Barry), and himself, to wait upon the Governor and urge a mitigation of the sentences. We saw His Excellency, and severally stated such reasons as appeared justifiable in support of our plea for mercy; and I think we all concurred in the opinion that the execution, if carried out, would shock large sections of society, as what would be regarded as the wholesale hanging of misguided youths, and that the authority of the law could derive no strength from a vindication open to such extreme interpretations. The Governor listened to us with the closest attention, but replied briefly that he must be guided by his responsible advisers. To my mind it has always appeared a very serious thing to attempt to influence the judgment of those who are charged with the responsibility of carrying out the law in these extreme cases, and who must possess the fullest information and the best means of investigation in every case of the kind. But I cannot free myself from the conviction that a sad mistake was made in the case of the Mount Rennie culprits.

CHAPTER XX

**THE FOURTH PARKES MINISTRY—CONDUCT OF THE DIBBS PARTY—
THE PLOTTERS CHECKMATED—APPEAL TO THE COUNTRY—
VICTORY AT THE POLLS—OBSTRUCTION OF THE BEATEN
MINORITY—THE JENNINGS CUSTOMS DUTIES BILL REPEALED.**

ON the collapse of the Jennings Ministry, His Excellency Lord Carrington, on January 15, 1887, sought my assistance in the formation of a new Administration. So little was the subject in my thoughts that I was at some distance in the country when His Excellency's messenger reached my house at Parramatta, and I did not return until late in the evening. I proceeded to Sydney and saw the Governor that night, when I received His Excellency's commission in very handsome terms.

Provision had not been made for the public service of the year 1887, and a temporary Supply Bill had to be brought in to cover the current month of January. Following the usual custom in any such emergency, I intimated through the Governor, that I should be obliged if Sir Patrick Jennings would obtain this necessary Supply, the necessity for which arose from the negligence of the retiring Ministers. On the meeting of the Assembly, it soon became apparent that bad blood was in high flow. Though the outgoing Ministers had quarrelled among themselves, they came to an understanding against their successors. Indeed, it was obvious that they had accomplished more than they had aimed at: the malcontents had only meant a new shuffle of the cards, but they had lost possession of the pack altogether. On the pretext of demanding the names of the new Ministers (which the House knew well enough would be formally announced, in regular

course, on the motion being made to declare their seats vacant), instead of granting Supply, the adjournment of the House was moved and carried as a vote of censure. At an Executive Council next morning, the Ministers were sworn, on accepting their respective offices, except myself. I was sworn as Vice-President of the Executive Council without office, the office of Colonial Secretary being left vacant. A new piece had now to be put upon the stage. Having obtained the Governor's assent to an immediate dissolution, I went to the Legislative Assembly alone, my colleagues being all out by reason of their acceptance of office. I now asked for Supply, not to cover the period necessary for the re-election of Ministers, but for the re-election of a new Parliament; and looking at the surprised and angry faces before me, I dared them to refuse it on their peril! Of course there was a little whirlpool of passion, but the sudden prospect of meeting their constituents had a wonderfully cooling effect. The Supply asked for was of course granted.

I felt satisfied that the electors throughout the country were with me, but I held now, as at all times, that the battle is never fought out till it is won. All that I could do I did everywhere, in every electorate, on every hustings. I issued the following address to my own constituents in St. Leonards, where I was returned without opposition:—

To the Electors of St. Leonards.

Gentlemen,—Having been commissioned by Her Majesty's Representative to form a new Administration, and having succeeded in that task, I have found it my duty to advise an immediate Dissolution of Parliament, to which the Crown has assented. In this turn of events, I appeal to you with every confidence to elect me again to the Legislative Assembly.

I have undertaken the labours of office at a time of unexampled difficulty. The financial position may be stated in a few sentences. When I retired from office, a little over four

years ago, the Government of which I was a member left to their successors a surplus of nearly 2,000,000*l.* I return to office now to take over from our predecessors a deficit of at least 2,500,000*l.*, created by improvident expenditure, in many cases amounting to reckless extravagance, and by the sudden stoppage of the revenue derived from the sales of land, without any provision being made to supply other revenue in its place. During the four years of our administration, ending with 1882, the average public expenditure was 5,881,861*l.* a year. During the four subsequent years of our successors, the average annual expenditure has not been less than 8,255,600*l.* When we retired at the close of 1882, the public debt was under 19,000,000*l.*; at the present time, the public debt is over 41,000,000*l.* These facts require no words from me to impress their significance upon the minds of all thoughtful men.

Clearly the first duty of His Excellency's advisers will be to address themselves to the urgent work of extricating the country from its present deplorable condition, and restoring it to a position worthy of its splendid resources and the generous spirit of its people. Amongst the measures to be adopted for this purpose will be an amendment of the Land Act of 1884, to facilitate permanent agricultural settlement on the soil under conditions suited to its varying capabilities, to confer upon the pastoral tenants such clearly-defined rights of tenure as will afford security for the investment of capital in their important operations; and, in carrying out these main objects, to obtain for the mass of the people, who are not directly interested in the public lands, such adequate returns of revenue, not involving excessive rents or oppressive conditions, as will justly diminish the general burdens of taxation. In any legislation on this subject, I am strongly of opinion that the utmost care should be taken to guard the national estate from being squandered or improvidently treated for the mere purpose of obtaining revenue.

Another measure to assist in adjusting the present financial derangements will be a legislative enactment for the better management of the public railways. These great national properties must be at once withdrawn from all political influence, and worked on principles of economy and efficiency, and of commercial benefit to the State as well as of general convenience to all classes of the people.

In connection with the one principal difficulty to be sur-

mounted, the Civil Service of the colony must be subject to a careful and searching enquiry with a view to a thorough reform. The efforts of the Government will be directed towards simplifying the departmental machinery, reducing the number of persons employed, securing fitness in each office for the duties to be performed, and eradicating the evil of favouritism in appointments. In the performance of this delicate task the most scrupulous care will be taken not to do any injustice to gentlemen who have faithfully served the public, and not to impair the effectiveness of any branch of the service. Under the guise of retrenchment, Ministers will be no parties to sanctioning arbitrary removal or inconsiderate treatment, and we will especially avoid any harsh or summary dealing with the humbler ranks of the Government employés.

For some considerable time past a wave of depression has rolled over nearly every producing and commercial interest in the colony, which may be likened to those disturbances of the ocean arising from remote and distant volcanic causes not easy to be distinctly traced. But to a large extent the public distress may be attributed to the feeling of uncertainty and uneasiness which has prevailed, and which can never prevail in any state of civil society without shaking confidence, enfeebling enterprise, and paralysing the active operations of capital. One thing is certain, that in a land where on all sides nothing is so much needed as human labour, no pair of healthy human hands ought to be seeking employment in vain. In dealing with the problem of the temporary dearth of employment amongst the working population, the Government will avoid giving to any measure of relief the character of pauperism, and will endeavour to absorb this spasmodic labour in some form or other of permanent value. But it is fervently hoped that, with the return of public confidence and the more favourable seasons now set in, this class of labour will speedily flow into the ordinary channels of profitable employment.

As one means of imparting new help and vigour to the administration of affairs, and economising the public expenditure, it is intended without loss of time to introduce a Bill to establish a well-devised system of local self-government, under which the practical knowledge of well-informed residents may be turned to account in carrying out, more cheaply, and with more regard to actual wants, all district improvements. It is not doubted that the ultimate results in the working of any

such measure will be a much larger amount of public satisfaction and a marked saving of public money.

Other questions of scarcely less importance to the cause of good government, including much-needed reforms in the administration of justice, will receive the early attention of the Government.

It remains for me to state the principles of the fiscal policy of the Administration, and above all things I desire that there shall be no uncertain sound on this subject. If we are fortunate enough to secure the confidence of the new Parliament, one of our first measures will be to repeal the mischievous Customs Duties Act of last year. We shall raise our Customs revenue under a tariff more limited than in former years, and virtually throw the ports of the colony open to the civilised world. If resort must be had to any new form of taxation, it certainly will not be an income tax, but we shall seek to devise a comprehensive and equitably-arranged system of property taxation which shall reach all classes in proportion to their ability to pay.

In meeting the old, mouldy, worn-out, empirical doctrine of Protection, we face it as deadly enemies. All that can be said in its support has been said a million of times during the last two centuries of British history while it yet flourished in the rank soil of monopoly and corruption, and was watered by a sea of tears from the drooping eyes of breadless men, women, and children. While giving credit to many of its advocates amongst us for their conscientiousness, it is impossible to respect their narrow intellectual efforts to furbish up for our acceptance the hundred-times-exploded fallacies of a past age. In this country the most eminent servants of the people, Dr. Lang, Stuart Donaldson, the Macarthurs, Charles Cowper, William Forster, the Plunketts and the Butlers, John Robertson—all the builders, with one exception, of the noble fabric of our Constitutional liberties—have been champions of Free-trade. The country never was more prosperous, never made more rapid progress, than under the fullest effect of its Free-trade policy. The persons who now seek to thrust down the people's throats the stifling creed of Protection are for the most part comparatively unknown, have never rendered any service to the country, and perversely blind themselves to the great lessons of modern civilisation. On the wide stage of British progress the noblest powers of intellect, the richest acquisitions

of learning and culture, the grandest records of great services, from Adam Smith and William Pitt to Bright and Gladstone, have been devoted to the cause of Free-trade. During the lifetime of the two statesmen last named, Great Britain has exhibited to the world a magnificent march in national prosperity, for which no example can be found in any former age. If we turn to the United States, the honest enquirer who looks for the fruits of Protection discovers mammoth monopolies which exercise a blighting and disastrous influence on the national life, side by side with factories created by artificial laws which are closed against their operatives from inability to find markets; and a working population, nominally free, but in many instances ground to the dust by the weight of taxation and the want of sympathy from the swarms around them for ever struggling for no earthly object but to grow rich, and the class of millionaires above and beyond who live in splendid waste and idleness.

We enter into this conflict with no misgiving as to the result. We know that, come what may, our reward is certain if we fight the battle with true faith and courage. It is a conflict between light and darkness; between freedom and the expansion of human energies, and slavery under a specious disguise with fetters for the mind and the limbs. The working man, whether in the coal mines, on the gold fields, on the farm or the station, on the public works, or in any other field of industry, can gain nothing, and would suffer severely from Protection. It is a policy to cheapen his brain and muscle, and to increase the price of his food supplies and every article of clothing or comfort for his humble household; a policy to depreciate the hard-earned sovereign which his wife takes to market to nine-tenths of its purchasing power, or possibly to a lower value. Of all men, the Australian farmer should be an earnest supporter of Free-trade. A tax on imported grain would revive the most odious tax in the worst times of bad government in England, and it could not fail to array, sooner or later, the great majority of the people against him in unnatural hostility. For every pound which could by any possibility come to him by taxation of this kind, two pounds would be taken out of his pocket by the taxation on articles which he must of necessity purchase for his use and comfort. What the farmer requires, and what he ought to have, is something quite different; facilities for acquiring a knowledge of the best

methods of treating the land under cultivation, and of the products most suited to different qualities of soil and different degrees of climate; and in addition to these things, easy, expeditious, and cheap means of conveyance to market.

The main issues which I and my colleagues submit to the country are good government and commercial freedom. We purpose fighting the battle boldly and in the light of the day. On every hustings we shall plant the flag of Free-trade, with the motto, 'He who is not with us is against us.' I appeal to the electors of the whole colony not to swerve from the clear line of public rectitude, but make every candidate for their suffrages speak out the faith that is in him. Let us have no more of the suspicious class of 'independent candidates,' which is generally a cover for self-seeking or something worse. Let the electors set their faces against doubtful characters of all sorts and conditions. Let there be no more 'sneaking in.' Let those who support a retrograde policy honestly say so before the world. Let those who are anxious for purity and economy in government, for the lightening of the people's burdens, for the maintenance of our good name abroad, and for the restoration of New South Wales to a state of solid prosperity and to her rightful place among the Australian colonies, take sides with the men who, in this trying crisis, are determined, united as one, to use all their powers to accomplish these great ends.

I am, Gentlemen,

Your faithful servant,

HENRY PARKES.

Sydney, January 25, 1887.

The General Election was conducted with much vigour, and in some districts great surprises were experienced in the story told by the ballot-box. I worked myself to the utmost of my energy in support of friends, moving about from one place to another wherever aid seemed to be wanted. But, what was better than individual help, a genuine public spirit was called into active play in the constituencies. The result was a Parliamentary majority of two-thirds in support of the new Government.

Parliament met on March 8. The first business was the election of Speaker. The candidates were Mr. James Henry Young and Mr. George Richard Dibbs, late Prime Minister; and Mr. Young was elected by a majority of fourteen in a House of 112 members. The opening Speech was delivered by the Governor on the following day. The first three paragraphs will show the confusion into which the ordinary business of the country had been allowed to drift, and the determination of the Government to repeal the Customs Duties Act of the late Parliament. The Speech said :—

Owing to the irregular state of that part of the business of Parliament on which both the economy and the efficiency of the public service so largely depend, it is necessary that the present Session should not be of extended duration; and it is felt that full reliance may be placed in your wisdom and sense of duty to deal with the important matters which strictly belong to the year 1886 as speedily as may be, consistent with careful consideration. As the Session proper to the year 1887 has yet to succeed the present, it is clear that its opening should not be delayed beyond the month of June, in view of bringing the public business within the limits of constitutional usage.

Notwithstanding the difficulties arising out of the arrears of Parliamentary business, and the necessity for restoring the action of Parliament to a normal and healthy condition, you will be invited to pass into law some measures of the highest urgency and importance.

A Bill will be introduced without delay to establish a Customs tariff, which will be framed to give effect to the emphatic verdict of the electoral bodies in favour of the principle of unrestricted freedom in the development of the industrial and commercial interests of the country.

The Speech announced, among other measures, a Bill to provide for the better management of the Government railways. The Bill to repeal the Customs Duties Act of the late Parliament, and to simplify the tariff, was duly introduced, and after protracted dis-

cussion and many divisions in committee, receiving all through the support of overwhelming majorities, was finally read the third time and sent to the Upper Chamber, where it passed through all its stages in much shorter time. The Bill, which entirely repealed a large number of duties, and reduced the tariff to a smaller number of articles than were included before the passing of the Jennings Act, received the Royal assent and became law within ten months from the enactment of that measure. The session was largely wasted by excessive and rancorous talk, which rendered the passing of new Standing Orders necessary. But in spite of the obstructive courses pursued by a small section of members, some useful measures were passed, and the way prepared for much more important legislation. The prorogation took place on July 13, and the Speech contained the following paragraph on the success of the taxation measures:—

I congratulate you upon the important Acts which you have passed for simplifying the Customs tariff and reducing the number of dutiable articles to such narrow limits as will not seriously interfere with the operations of commerce, and for inaugurating a policy, though at present incomplete, which is sanctioned by enlightened public opinion, and has been found in the United Kingdom to work with indisputable effect in promoting the welfare of all classes of the people. By these measures you have faithfully given effect to the verdict of the constituencies as recorded in the late elections, and it cannot be doubted that they will prove eminently conducive to the general prosperity.

Among the early acts of the Administration, Sir Patrick Jennings and Mr. Wisdom (afterwards Sir Robert) were appointed to represent the colony at the Imperial Conference in London.

CHAPTER XXI

THE PUBLIC WORKS ACT—ITS PROVISIONS IN SUPPORT OF THE RESPONSIBILITY OF MINISTERS AND THE AUTHORITY OF PARLIAMENT—SHUFFLING TACTICS OF THE OPPOSITION—MY SPEECH IN DEFENCE OF THE BILL—MEMBERS WHO OPPOSED THE BILL CHANGE THEIR OPINIONS AFTER SEEING THE ACT IN OPERATION—THE STATE RAILWAYS—CHANGE OF MANAGEMENT—THE NEW COMMISSIONERS—UNSCRUPULOUS ATTACKS UPON THEM—RESULTS OF THEIR MANAGEMENT—THE CHINESE CRISIS OF 1888—NEW LEGISLATION—DECISIVE ACTION OF THE EXECUTIVE—RANCOROUS OPPOSITION—NEW BANKRUPTCY LAW—THE ADDITIONAL NAVAL FORCE—SUCCESSFUL PASSAGE OF THE BILL—‘THREE CHEERS FOR AUSTRALIA AND FOR OLD ENGLAND’—IMPORTANT WORK OF THE MINISTRY.

AFTER a recess of only two months and seven days the second Session of the new Parliament was opened by Lord Carrington on September 20, 1887. The speech announced several measures of more than ordinary importance, and explained that members were asked thus early to renew their labours ‘with the hope of bringing the financial affairs of the colony within the limits of regularity and order imposed by the Constitution.’ It has been explained in previous pages that great confusion had resulted from, and little advantage had been gained by, the disregard of usage and season in conducting parliamentary business. My colleagues considered with me that it was our duty to do all in our power to bring the transaction of business within proper limits, even at some present sacrifices of personal convenience.

One of the new measures was the Public Works Act, now on the Statute Book of the colony. The idea of this Bill arose out of the loose and profligate expenditure of money for public works in past years. I had determined within my own mind that this absolute absence of effective check in public expenditure should be brought to an end. The threefold difficulty in any

scheme of reform was to hold the Government responsible for its proposals, to ensure an independent investigation, and at the same time to preserve the authority of Parliament unimpaired over the expenditure. The measure which was framed under my instructions has attracted much attention, and among others, Sir John Macdonald, not long before his lamented death, applied to me to supply him with copies of it, and all information on the subject, with the view of considering the expediency of its adoption in Canada.

Under the Public Works Act the Parliamentary course of procedure is this. The Minister in charge of the Works Department must in that capacity explain his proposal to the Legislative Assembly, but, instead of appealing to his political majority to vote for resolutions there and then, he must move that it be referred to a non-Ministerial Parliamentary authority for investigation. It requires little insight to see that the knowledge that his plans and estimates have to go through this ordeal will make him more industrious and careful in preparing them. And what is the authority which is called into existence by the Act to check the Minister? It is a Standing Committee of both Houses of Parliament, chosen from both political sides. Thus, Parliament itself, by the only practical means, and by its own committee, instead of dissipating its authority in a loose discussion, exercises it in sifting, searching, and reasoning out the Minister's calculations and arguments.

The Act, as it stands, provides for the appointment of the 'Standing Committee on Public Works,' as soon as practicable after the opening of each Session, such committee to consist of five members of the Legislative Council and eight members of the Legislative Assembly. Each member has to subscribe an oath to 'faithfully, impartially, and truly' execute and perform the duties of the office he undertakes. The committee has power to

enter and inspect any land, building, place, or material; it may summon such persons as may appear necessary to attend as witnesses; it may compel the production of books, maps, plans or documents relating to matters under investigation; and it may examine witnesses on oath.

All works exceeding in cost twenty thousand pounds, except fortifications and works of defence and certain works of repair authorised by Act of Parliament to be carried out by the Railway Commissioners, must come under the functions of the Parliamentary Committee. The 13th section of the Act definitely prescribes the course of procedure:—

After the first gazetting of the Parliamentary Committee of Public Works pursuant to this Act, no public work of any kind whatsoever (except as excepted in the last preceding section, and except such works as the Railway Commissioners are authorised to carry out pursuant to the 'Government Railways Act of 1888'), the estimated cost of completing which shall exceed twenty thousand pounds, and whether such work be a continuation, completion, repair, reconstruction, extension, or a new work, shall be commenced, unless sanctioned as hereinafter provided:

(1) Every such proposed work shall, in the first place, be submitted and explained in the Legislative Assembly by some member of the Executive Council having a seat in such Assembly (hereafter termed 'the Minister'). The explanation shall comprise an estimate of the cost of such work when completed, together with such plans and specifications or other descriptions as the Minister shall deem proper, and in the case of a proposed railway or tramway, a map or plan of the line and book of reference, together with a report by the Railway Commissioners on the probable cost of construction and maintenance of such railway or tramway, and an estimate of the probable revenue to be derived therefrom; and such estimate, plans, specifications, or descriptions shall be prepared and be authenticated or verified in the prescribed manner.

(2) Upon motion, in the usual manner, made by the Minister or by any member of the Assembly, such proposed work shall

be referred to the Parliamentary Committee on Public Works for their report thereon.

(3) The Committee shall, with all convenient despatch, deal with the matter so referred to them, and for that purpose may exercise all powers by this Act conferred on such Committee.

(4) The Committee shall, as soon as conveniently practicable (regard being had to the nature and importance of the proposed work) report to the Legislative Assembly the result of their enquiries.

(5) After the receipt of such report the said Assembly shall, by resolution, declare, either that it is expedient to carry out the proposed work, or that it is not expedient to carry out the same. Provided always that the said Assembly, instead of declaring affirmatively or negatively as aforesaid, may resolve that the report of the Committee shall, for reasons or purposes to be stated in the resolution, be remitted for their further consideration and report to the said Committee; in which case such Committee shall consider the matter of such new reference, and report thereon accordingly.

The 15th Section, however, provides that if 'any such resolution declares that it is not expedient to carry out any proposed work, no proposal for a public work in substance identical with the work referred to in such resolution shall be submitted to the Legislative Assembly until after the expiration of one year from the notification of such resolution as aforesaid, unless the Governor, by writing under his hand addressed to the said Committee, declares that, in his opinion and in view of the public interest, it is desirable that any such proposal should be resubmitted to the said Assembly.'

I moved the second reading of the Bill on February 8, 1888, and the debate occupied two nights. I argued that the management of the railways completed and handed over for public traffic ought to be kept distinctly separate from the policy of the Government and the departmental machinery in the construction of public works, whether railways or of other character, and I contended that, though the management of the railways

as great State-properties ought to be withdrawn from all political influence, the origination and construction of railways, as of all public works, must necessarily form a vital part of the policy of Government. In this province of expenditure, where the colony was so deeply concerned at every step in adding to its burdens, I contended that the Bill did not in the least degree take away or diminish the Minister's responsibility, while it gave to Parliament a more effective and certain means of exercising its authority, and at the same time ensured a thorough examination of every proposed new expenditure. In the debate that followed it was difficult to keep the questions of railway management and railway construction separate in the average member's mind; and the Parliamentary Committee got continually mixed up with some supposed commission and an imaginary Board, and, as is usually the case, those who were most confused on the subject were most active and eloquent in explaining it. Mr. Dibbs, the leader of the Opposition, distinguished himself greatly in misconception and misrepresentation. He began: 'I have no hesitation in saying that a more miserable piece of work for the consideration of Parliament was never submitted.' The whole measure was a gross scheme to shift the responsibility of Ministers to other shoulders, and to rob Parliament of its rights. Other members followed in the same track, and one courageous gentleman moved to substitute for the Parliamentary Committee the following:—

A Board of five members of the Civil Service, to be called the Public Works Construction Board, shall be appointed for the purpose of exercising such powers and authorities, performing such duties, and be liable to such obligations as are by this Act vested in or imposed upon such Board. The names of the persons appointed to be members of such Board shall be notified in the Gazette with all convenient despatch.

But the Bill was read the second time without a

division, and though in committee Mr. Dibbs again declared it was 'taking away the liberties of the people, and he would resist it as far as he possibly could,' the amendment just quoted was defeated by forty-one votes to five, and Mr. Dibbs did not vote at all.

In reference to the proposal in committee to substitute a Board of Civil Servants or Experts, I made the following speech:—

The honourable member (Mr. Toohey), when he supported the second reading of this Bill, must have entirely misunderstood its character and objects, or he could never support this amendment. My object is to conserve the authority, the independence, and the liberties of Parliament. The amendment is to hand over our privileges to a Board of Civil Servants. We have done a great deal too much of that already, and I, for one, will certainly be no party to such a step. I would rather the present mode of procedure went on. It would be infinitely safer, infinitely more in accord with the intentions of Parliamentary government. I will now try to deal with the arguments, or so-called arguments, as they have been put forth one by one. I first come to the value of civil servants for this particular enquiry. The value is enhanced by their being supposed to be experts. We do not want experts. We want colonists of experience, good standing, and character, who understand the country in the general interests of the country; and we do not want the expert knowledge of civil servants in conducting an enquiry of this kind. As to the independence and freedom from what is called log-rolling, if human nature is so irredeemably rotten that members of Parliament cannot be trusted, how can the civil servants be trusted? How is it possible for the assaults of improper influences which will affect members of Parliament to be warded off from civil servants? Now let us see what is the object and intention of this Bill. At all times I have tried to draw a distinct line between the legislative power and the executive power of the country. For that reason, and holding those views, years ago I maintained that the Executive ought not to interfere with the Speaker and the President in the appointments to the offices of Parliament, and if I had observed them I should have resisted to the utmost those most unparliamentary provisions in the

Civil Service Act, which place the Speaker and the President in the position of a Minister, and make the appointments of this Parliament subject to the investigation of the Civil Service Board. Those provisions are in direct conflict with the spirit of Parliamentary government, and it is only because of my absence from the House, and my oversight, that I allowed, without the utmost resistance, those most unparliamentary provisions to creep into that statute. In the same manner I now draw the broadest and most distinct line between the executive power and the legislative power. What does my Bill do? When the executive power comes down to this House in the shape of a Minister to submit a proposal for a large public expenditure—whether it is a railway, a bridge, or something else—I intervene, not by a band of civil servants who are under that Minister's thumb, but I intervene by a body of your fellow-representatives to guard your privileges, to protect you against the executive power. That is my object. I hold the power, the authority, and the independence of Parliament above all other considerations, and the body I seek to create is a body of your own members, to conduct an investigation in check of the responsible Minister, in check of the civil servants, in check of the whole machinery of the civil government, and strictly in the interests of the representatives of the people. My measure is in favour of liberty; yours is in favour of undermining liberty. Mine is in favour of the authority and the power of the representatives of the people of this country as a check upon the Executive Government of the country; yours is a proposal to hand over this enquiry to the very servants of the Executive. I cannot think of any proposal more adverse to the real foundation of a representative Parliament. I do not wish to influence honourable gentlemen; but most certainly if such an amendment as this is carried, I shall decline to proceed with the Bill. It would entirely destroy the Bill. It would be infinitely better to leave matters as they are. With regard to how the scheme would work, unless we are to come to the sad conclusion that no body of representatives can be trusted, there can be no doubt whatever that the scheme would work well. I pointed out in my reply on the second reading, that my proposal is really in harmony with great reforms in all parts of the world. In the Senate of the United States the whole business of consideration is conducted by committees. As soon as Congress meets, the Senate appoints committees to consider nearly every branch of

political and economic business. For example, there is a committee on defence, a committee on finance, a committee on foreign trade, a committee on post-offices, and committees on every conceivable thing. Any measure that comes down, generally recommended by message from the President, is at once referred for the consideration of one of those committees. But I do not rely upon that. I rely upon the great change that has taken place in the mother-country in that great body which is the mother of parliaments—the Imperial Parliament. It has been found there that it is utterly impossible to conduct the multifarious business which has grown up of late years, and the device has been resorted to of appointing grand committees to consider the more important business. Then, if we pass over the Channel, and go to France, we find that in that great legislative body, the Chamber of Deputies, Bills, instead of being considered as they are in this House—as this Bill is being considered on the present occasion—are considered by committees of the Chamber of Deputies. The House only confirms or disapproves when the committee has finished with the Bill. The tendency in all parliamentary bodies now is to relieve the main body by doing the work by means of committees. Then I come to the objection that it is proposed that the committee should be partly constructed of members of this House, and partly of members of the other House. That falls to the ground the moment you reflect that no Bill for a railway can be passed into law without the assent of the other House. The other House must take a co-ordinate part with us in passing any Bill whatever. If that be the case, what becomes of the objection to a mixed committee, partly composed of that House, to conduct simply the business of the enquiry? The real value of this proposed enquiry consists in this: that a committee so constructed would be an independent body, as independent as it possibly can be; and that it would reflect and represent the Parliament of the country, not a body of civil servants, but composed of members of Parliament representing fairly the two Houses, which is the highest authority that could be constituted. The essence of the whole thing is that as members of the House in their legislative capacity they would stand in check over the improper tendencies of the executive power. There is no possibility of fairly meeting the arguments in support of this proposal. Now there is no information—nothing to guide Parliament—except the bald statement of the Minister, whoever

he may be. He has to introduce his proposal on his own responsibility, and to submit his statement. He would have to do the same now. But a body would step in, not a body composed of civil servants, but a body composed of yourselves, of the two Houses, who eventually have to consider the Bill, and pass it into law. They would intervene with the highest powers with which they can be invested, to sift all these proposals in the real interests of the country. I do not believe that the gentlemen returned to this House would be false to their oaths, that they would be false to their highest sense of duty. I believe that with but rare exceptions they would carry out their duties faithfully, honestly, and for the benefit of the country. There would be every chance of getting the very best, the most sifted, and the most pure information that could possibly be obtained. Then the Legislative Assembly steps in, takes up the business where it was left off, and instead of deciding on no information whatever of a trustworthy character, it decides in the light of the evidence obtained in this scrupulously careful manner. The improvement, I maintain again, would be incalculable, both upon the present method and in preserving the power of the representatives of the people against the Executive Government.

It is gratifying to be able to say that several gentlemen who opposed the passing of the Bill have since acknowledged that the working of the Act has satisfied them that they were mistaken, and that the enactment of this measure was a great step in sound legislation. We occasionally hear a discontented Minister, who has had his old sores rubbed by the Public Works Committee, wailing over his lost power of manœuvring his schemes through Parliament; and when he turns over afresh his favourite Board of Experts, he involuntarily grasps at the facile substitute. Or, now and then, we meet with a statesman in his novitiate, his ideas not yet out of the gristle, who speaks approvingly of an investigation by professional men, and who would have no difficulty in finding the very men himself. But in any great national proposal which involves the expenditure of tens of thousands, perhaps a million or two, of the

public money, the interests of the country are safest within the scrutiny and control of Parliament itself. Parliament can command the assistance of experts, has ample means of supplying itself with the guiding light of science whenever it is required ; but it cannot delegate to others its supreme functions in protection and control of the public revenues.

Another measure of the Government, which may fairly be classed with the Public Works Act, was a Bill to make better provision for the management of the Government railways and tramways. Up to this date the railways had been under the ministerial control of the Department of Public Works. There was an officer styled 'The Commissioner of Railways'—and the office was filled by an able and deserving man—but he had no executive power apart from the Minister ; and the whole department, especially in respect to the railway service, was hampered with the pressure of members of Parliament on behalf of needy kinsmen and unfortunate friends. The new Bill provided for the appointment of these Commissioners, to be a body corporate by the name 'The Railway Commissioners of New South Wales,' and to 'have perpetual succession and a common seal, and be capable in law of suing and being sued, and, subject to the provisions hereinafter contained, shall have power to take, purchase, sell, lease, and hold lands, tenements, and hereditaments, goods, chattels, and other property for the purposes of the Act.' One of these officers was to be appointed as Chief Commissioner.

By the 16th section it was provided that, for the purposes of this Act, there shall be vested absolutely in the Commissioners, and, in respect of land, for an estate in fee simple—

(1) All railways and tramways, and all rolling-stock heretofore constructed or acquired by or on behalf of Her Majesty, pursuant to any Act in force for the time being authorising the

construction of railways, rolling stock, or tramways—and all railways and tramways hereafter to be so constructed or acquired, upon transfer of the same to such Commissioners in the prescribed manner.

(2) All piers, wharves, jetties, stations, yards, and buildings connected or used in connection with such railways, tramways, and rolling-stock, being on Crown land or land acquired for or on behalf of Her Majesty respectively.

(3) The land, being the Crown land or land acquired or which may be acquired for or on behalf of Her Majesty, over or upon which such piers, wharves, jetties, stations, yards, and buildings have been, or may hereafter be constructed or erected.

(4) The Crown land or land acquired for or on behalf of Her Majesty included within the boundary fences of all such railways or tramways.

(5) All land outside such fences acquired by or on behalf of Her Majesty, under any Act authorising the taking or acquiring of land for railway or tramway purposes.

(6) All Crown and other lands taken under the authority of any Act authorising the taking of land for railway or tramway purposes.

(7) All telegraph posts erected on any lands by this Act vested in the Commissioners, which posts at the passing of this Act were under the control of the Commissioner for Railways or any person for or on behalf of Her Majesty, and all wires, instruments, and other telegraphic or telephonic apparatus used in connection with the railways or tramways so vested as aforesaid.

To the Commissioners was given the authority to appoint the members of their staff and all railway servants, and all other persons necessary for the discharge of the duties of their corporate office with certain checks lodged with the Governor in Council.

The Act received the Royal assent on May 17, and after much enquiry in different parts of the world, and the fullest consideration, the Commissioners were appointed in the persons of Edward Millar Gard Eddy, chief, William Meeke Fehon, and Charles Nicholson Jewel Oliver. Few acts of my public life have given

me more unmixed satisfaction than this change in the management of the State railways. I had the warm support of my colleagues all through in resisting every attempt of political influence either to give a sinister twist to the clauses of the Bill in committee or to bring the weight of personal favouritism to bear on the appointments.

The colony was fortunate in its selection of Commissioners. Mr. Eddy is a person who, in any position, and in any part of the civilised world, would make good his claim to be considered an able and upright man. With a high sense of personal honour, and sensitive almost to a fault to the obligations of fair dealing between man and man, he has refinement mingled with strength of character, and that rare gift in the human organisation—resource in critical emergencies. He brought to his post a thorough knowledge of railway business, and a practical acquaintance with railway administration, which he had gained in long service under some of the most competent railway chiefs in the United Kingdom. Mr. Fehon came to his new appointment with excellent credentials of competency as a trained railway servant, and with a high character and capacity for business. Mr. Oliver had won his own way in the Civil Service of New South Wales by his personal merits and indomitable perseverance, and had proved himself a skilful organiser. The three Commissioners while I write (May and June 1892) are passing through a crucial trial of their fitness and incorruptibility, at the instance of worthless persons who, without a shadow of foundation in fact, preferred the most serious charges against them; but it would hardly be possible to find an honest man in the community who does not believe that they will come out of the enquiry with just ground for the renewal of the confidence of the public.

The result of the management by the Commissioners will be best seen by comparison. In the year 1882,

under the former system, when the colony had only 1,268 miles of railways, with a capital invested of 15,843,616*l.*, the net earnings, after paying working expenses, were 763,661*l.* for the year. In 1888, when the Commissioners under my Act took over the railways, with a mileage of 2,244 and a capital of 27,722,748*l.*, the net earnings, after working expenses, were 766,332*l.*, giving an increase on the six years of only 2,661*l.* While there was in those years an increase on the total earnings of 2,673,278*l.*, there was an accumulated decrease on the net earnings amounting to 139,897*l.* I now give the result of the new management. In 1889 there were 2,171 miles of railways, with a capital invested of 29,839,167*l.*, and the net earnings, after paying working expenses, rose to 903,875*l.* In 1890 there were 2,182 miles of railways, with a capital of 30,555,123*l.*, and the amount of the net earnings was 967,251*l.* In 1891 the railway mileage was the same, with a capital of 31,768,617*l.*, and the net earnings had risen to 1,143,050*l.* For the current year (1892) the report of the Commissioners is not issued, but I have made such enquiries as satisfy me that it will show a steady increase. We thus have for the first time, with better organisation and greatly improved means of accommodation for the public, a solid railway income of $3\frac{1}{2}$ per cent. on the railway capital, after paying all working expenses. In other words, the railways of New South Wales are on the eve of paying the interest on the capital expended in their construction, and being no longer a burden upon the taxpayers of the colony.

The management of the State tramways (which for the most part are confined to Sydney and the metropolitan suburbs) shows even a better result. In 1884 the net earnings amounted to only 4,775*l.* In 1891 they amounted to 53,171*l.* At the present time the tramways give a return of $5\frac{1}{2}$ per cent., after paying all working expenses.

I think I and my colleagues of 1888 may be pardoned some feeling of pride at this practical vindication of the railway legislation of our Administration. It is worth the abuse we received from those who wished to make these great State properties a field for the exercise of their unwholesome influence, and the means of serving their friends and supporters.

Towards the middle of 1888 several vessels arrived close upon each other in Sydney harbour with Chinese immigrants. Quite a trade had grown up with a class of steam trading vessels in bringing Chinese, chiefly from Hongkong. Three or four ships were in port at the same time, with Chinese on board. This occurrence led to boisterous proceedings among large numbers of the working classes, and, if the Chinamen had attempted to land in the usual way, there could be little doubt that violence, and possibly serious bloodshed, would have taken place. One large public meeting was held, presided over by the Mayor, which adjourned in a body to Parliament House. The angry mob, which the adjourned meeting had now become, filled the space before the building, crowded the corridors, and some of the intruders attempted to force their way into the chamber of the Legislative Assembly, which was sitting at the time. The Mayor and others saw me in an anteroom, but I declined to go outside to the crowd. Ultimately a written message was brought in to me enquiring if the Chinamen would be allowed to land, and, as the Government had already decided that they should not land, I returned a written answer to that effect. My answer was read to the crowd, which soon afterwards dispersed. Other meetings were held, and at one it was computed that 40,000 persons were present.

In the agitation against the influx of Chinese, which is common to all classes of the working population, there are forces which the superficial observer is likely to overlook. Every mother of a working-man's family

is an uncompromising opponent, and every child imbibes the feeling of resistance and denunciation from its parents. No outlook is possible to the humble household dependent upon daily labour which is not obscured and rendered less hopeful by the contingent intrusion of the Chinese. Where moral principles and provident habits prevail, this feeling is probably strongest. How could it be otherwise? It will not be denied that it is meritorious in the poor to do the best they can for their children. How can their 'best' in the struggle of life be assisted by the intrusion of hordes of men who are foreign to them in language, religion, notions of law, and all the usages of their state of society, and who are of a servile race?

Persons who in a new country have to do with the administration of government, or the making of the laws, however disinclined they may be to pander to any class, are nevertheless bound to study the peace of society and the contentment of all classes. It is mainly because the influx of Chinese, or of persons of any other inferior nationality, is a disturbing cause to social peace and contentment, that it should not be tolerated. No advantage to employers, no convenience to a limited number of citizens, can compensate for loosening the consanguineous ties which bind a State together. If we may speak of statesmanship, there is yet another and a higher ground of objection. In founding a free State no nationality or class should be considered whom we are not prepared to admit to all our franchises, all our rights of property, all our privileges of citizenship, all our social usages and trusts, not excluding intermarriage. The existence of a servile or degraded class is incompatible with the safe possession of national liberty.

This was the second occasion when I had to face the Chinese difficulty by legislation. My colleagues concurred with me that the wisest course was to get rid of the trouble altogether. We determined, therefore, to

introduce a Bill virtually prohibiting the landing of Chinese; and we determined to press it through Parliament with the least possible delay. Whatever we might do, we knew we should be blamed. If we did nothing, it would be cowardly indifference to the danger; if we went halfway, it would be bungling incapacity to deal with it; if we went the whole length, it would be high-handedness and tyranny. We tried to see our simple duty in the crisis which confronted us, and to perform it with a single view to the demands upon us.

In the beginning the Government had sent to the Secretary of State the following cablegram:—

March 31, 1888.

In reference to Chinese immigration and the enquiry made by the Marquis of Salisbury, your Excellency's advisers beg briefly to explain that the law of this colony for some years past has imposed the restriction of a poll-tax of 10*l.* on each immigrant, and a limitation of one immigrant to every hundred tons of the ship's burden; but owing to recent occurrences severer measures are now demanded throughout all the colonies. This state of things has given rise to new reflections in dealing with a difficulty which threatens to become a calamity. As these colonies form an important part of the Empire, it is submitted that our cause of contention is of sufficient national concern to be taken up by the Empire; if we have no voice in the making of Treaties, it seems only just that our interests should be considered and protected by those who exercise that power. We learn by public report that the Government of the United States has entered into a Treaty with the Government of China by which Chinese immigration into America is no longer permitted. We fail to see why Australia may not be similarly protected. We desire, on behalf of this colony, through your Excellency, to impress upon Her Majesty's Imperial Advisers the more prominent phases of the Chinese question as it specially and almost exclusively affects the Australian section of the British people. (1) The Australian ports are within easy sail of the ports of China. (2) The climate as well as certain branches of trade and industry in Australia, such as the cultivation of the soil for domestic pur-

poses, and tin and gold mining, are peculiarly attractive to the Chinese. (3) The working classes of the British people in all the affinities of race are directly opposed to their Chinese competitors. (4) There can be no sympathy, and in the future it is to be apprehended that there will be no peace, between the two races. (5) The enormous number of the Chinese population intensifies every consideration of this class of immigration in comparison with the emigration of any other nation. (6) The most prevailing determination in all the Australian communities is to preserve the British type in the population. (7) There can be no interchange of ideas of religion or citizenship, nor can there be intermarriage or social communion between the British and Chinese. It is respectfully submitted that the examination of these principal phases of the question can only lead to one conclusion, namely, that the Chinese must be restricted from emigrating to any part of Australasia. It will be seen that, while the question scarcely touches the people of the United Kingdom, it vitally concerns these great colonies, whose importance in their political and commercial relations entitles them to be protected by the diplomatic influence and the powers of treaty which belong to the Empire. With renewed expressions of our loyal attachment to Her Majesty, we urge that immediate steps be taken to open such negotiations with the Emperor of China as will result in permanent security to the Australian colonies from the disturbance of Chinese immigration in any form. The matter is too grave and urgent to admit of long delay. However desirable it may be to avoid the irritation and conflict of interests which may arise from local legislation of a drastic character, if protection cannot be afforded as now sought, the Australian Parliaments must act from the force of public opinion in devising measures to defend the colonies from consequences which they cannot relax in their efforts to avert.

HENRY PARKES.

(For Cabinet.)

On May 15 we informed the Legislative Assembly of our purpose, and on the following day I moved the suspension of the Standing Orders to admit of the Chinese Restriction Bill passing through all its stages in one sitting. I did not say one word in support of

my motion, but an angry debate was got up, and I said a few words in reply to some of the speeches. The feeling of the House was so strongly with me that no division was called for, and the House immediately went into committee to consider the expediency of bringing in the Bill.

On moving the second reading I made the following speech, which throughout was enthusiastically cheered. I mention the fact to show that the House approved of the course the Government had decided to take, which was further shown by the only two divisions in committee, 31 for and 18 against the Government, and 37 for and 10 against:—

Sir HENRY PARKES rose to move :

That this Bill be printed and now read the second time.

He said: In moving the second reading of this Bill, I disclaim any attitude of even aversion to the Chinese people settled in this country; and I disclaim any possible action on the part of the Government in deference to public agitations out of doors. I am convinced in my conscience that neither have we at any time joined with those who have derided, and, as I think, traduced, the Chinese residents in this country; nor have we at any time yielded to the pressure of popular agitation. So far as the Chinese people who reside amongst us are concerned, I have for thirty years, many times and often, borne testimony to their law-abiding, industrious, thrifty, and peaceable character, and I have never for a single moment joined with those who have held them up as in many respects more disreputable than a similar number of English subjects. For a generation—long before some of the men who are listening to me took any part whatever in public life—and at all times I have opposed the introduction of Chinese upon these, as I conceive, national, and to a large extent, philosophical grounds: I maintain that in a country like New South Wales it is our duty to preserve the type of the British nation, and that we ought not, for any consideration whatever, to admit any element that would detract from, or in any appreciable degree lower, that admirable type of nationality. Now, I would like for a moment to examine the ground on which I stand. I contend that if this young nation

is to maintain the fabric of its liberties unassailed and unimpaired, it cannot admit into its population any element that of necessity must be of an inferior nature and character. In other words, I have maintained at all times that we should not encourage or admit amongst us any class of persons whatever whom we are not prepared to advance to all our franchises, to all our privileges as citizens, and all our social rights, including the right of marriage. I maintain that no class of persons should be admitted here, so far as we can reasonably exclude them, who cannot come amongst us, take up all our rights, perform on a ground of equality all our duties, and share in our august and lofty work of founding a free nation. It is on this very intelligible, this solid ground that I, at all events, have been averse to the admission of Chinese. Now, I want to call attention to the state of the question at the present moment. It cannot be denied—it is tacitly admitted by all—that there is a widespread legitimate agitation on this subject. We, the members of the Government, who are responsible for bringing in this Bill, have been in no way instrumental at any time in promoting this agitation; but the question is there, black and startling, in the midst of our social economies, irritating, agitating all classes of persons, and operating in a most intense way on those who are least informed, and for that reason the most dangerous. Can this thing be allowed to go on, this gangrene in the body politic, this seed of disturbance in the midst of society? No friend of the social fabric in this country can for a moment say that this thing can be permitted to go on without danger to the peace, to the law, to the good order and stability of society itself. It is because this thing has grown now to gigantic dimensions of danger—not a danger in which we need have any fear of an invasion—not that danger which has been in such puerile terms alluded to, but the danger of a poison—running through the veins of society, poisoning the very health of our social life—it is that danger that we have to confront; all the more deadly for its being so subtle, so unseen, and so little demonstrable to the ordinary observer. It is against this danger that we are called upon at the present time to legislate. You tell me about obedience to the law; you tell me that because I occupy the great place which I am permitted to occupy in this country, that I am to set an example of obedience to the law. I say, in reply, that there is one law which overrides all others, and that is the law of preserving the peace and welfare

of civil society. Would you talk about a technical observance of the law if a plague was stalking in our midst—if a pestilence was sweeping off our population—if a famine was reducing the members of our households to skeletons? Why, a Government that stood in fear for the technical observance of the law in any such case as that would be swept away, and deservedly swept away. We rise above any such considerations at the present time, in staying the growth of a disastrous seed-plot which, if left alone, would soon ripen in the dismemberment of society. And what justification is there for the strong feeling which I am quite sure at the present time pervades all classes? We have in this country, as in all others, the working-class. The man does not live who ever heard me pander to the working-class. I have passed through some thirty-five contested elections, and I never won a single vote by pandering to any class. Well, we have the working-class in the country, great by its apparent and undeniable virtues. I do not believe that at this moment there is any class in society of more value, of higher character, with a more lively sense of social and personal obligations, than the better portion of the mechanics of New South Wales. Most of those men are married, and have families; many of them have freehold homes, which even in bad times they struggle to preserve. Can it be surprising to any of us that the mothers of those families, during a period of depression such as that which has passed over the country of late, look with something like aversion—with even stronger antipathy—towards the Chinaman, who is a direct competitor with their husbands—the fathers of their children—and with the future of their households? Is it to be wondered that the mother, who is suffering from her husband's want of employment, possibly from her son's want of employment, who sees her little ones deprived of many comforts which otherwise they would enjoy, should cherish, encourage, and cultivate a feeling of hostility to the persons who come in direct competition with the bread-winners of her household for the daily food of the family? Although I may not say anything to encourage it, I can well sympathise with the aversion that grows up in the most influential and most valuable portion of our working-class towards those people. But that is not all. Is it a safe, a wise, or a tolerable thing for us to have nearly 60,000—I mean in all the colonies—of these men, belonging to an alien race, out of tone with us in faith, in law, in traditions, in everything that endears life—to have,

60,000 of these men, with no natural companions, in the midst of society? Must not that be a thing to be deprecated, to be lamented, to be resisted by every man who wishes well to the social fabric of this new country? I may be fairly pardoned if my sympathies go out a long way to meet the feelings of that large class of our people without whom society could not exist for a day. It was said by Sir Robert Peel that the great working-class was the foundation of every other class, and what was said by him was so true that no man who has succeeded him could deny it. Without this great mass of human beings, who form the foundation of society, society itself could not exist. They are really the blood, the bone, the sinew, the mind, and the spirit of the social fabric. Having stated my case so far as the social elements affect this question, I shall proceed in as calm a way as I can to trace the history of late events, which have led up to the present action on the part of the Government. On December 12 last the Chinese Minister, resident at the Court of St. James, addressed a note to the Minister for Foreign Affairs, who happens to be the Prime Minister of England. It is not always the case in the constitution of English Governments that the same Minister holds the position of leader of the Government and also that of Foreign Secretary; but, at the present time, the Marquis of Salisbury is not only Prime Minister, but also Her Majesty's Secretary of State for Foreign Affairs. In this note, to which I have called attention on other occasions as being a singularly able paper—I do not think, so far as I can judge, that I ever read a diplomatic paper more astutely worded than this note of the Chinese Minister—in this paper the Chinese Minister in London calls the attention of the British Government to what the Australian colonies are doing, and he evidently calls the attention of the Prime Minister to our proceedings with some kind of a confused view that we are in the capacity of school children, and can be called to account by the Prime Minister of England. His words are these:

‘The Imperial Government sees with regret the continued existence of the exceptional and exceptionable laws which some of the colonial legislatures of Australia and the Dominion have at different times enacted against Chinese subjects, and hopes that, with a view to the elimination of any part of them which may be found to be at variance with treaty obligations and international usage, Her Majesty's Government will be pleased to

institute an enquiry into their nature, and how far they are compatible with the increasing growth of the friendly relations which now happily exist between the two countries.'

No complaint can be made, and last of all should I be to make any complaint, of the Chinese Minister faithfully representing his Government at the British Court; but he clearly was under the impression that he had only to make these representations to have the matters of which he complained put right. That would hardly be worth my while to notice, if it were not for the great fact that lies beneath and beyond it, and so much above it as to affect the whole tenor of this diplomatic note—what I have on another occasion described as the awakening of the Chinese Empire. It clearly proves an inclination to assert the rights of China on a level with other civilised nations; and I confess at once that I think the time will come, and that probably very shortly, when they will succeed. It will be observed, then, that I do not by any means concur in some views which I have heard expressed here to-night. I do not agree with any of those persons who think that China is an inferior Power, with whom we can trifle. I think nothing of the kind. I think that with her large territory, with a population which exceeds one-third of the whole population of the world, China has only to learn the lessons which are taught on every hand—and which she appears to be doing—to win an honoured place in the community of nations. I, then, neither despise the individual character of the Chinese, nor underrate the majesty of the power of China; and it is for these very reasons, and because I believe that China is fast becoming a great Power; because I believe her people are endowed with great though homely virtues—the virtues of industry, of provident care, of foresight, of unmatched patience, and vast powers of endurance; it is that I believe in all these things that I do not wish to see the Chinese element increasing in our midst. I wish to dwell particularly on the circumstances which followed the reception of this note from the Chinese Minister, because I think they have been greatly misunderstood in this country. Lord Salisbury caused a request to be made to the Colonial Office to obtain for him certain information to enable him, which means the British Government, to deal with the Chinese Minister's note; and in this matter the Secretary of State for the Colonies has only been used as a medium by which the Prime Minister's desires were made known to the Colonial Governments. I dwell upon this because I see it

continually noted that Lord Knutsford does this, and Lord Knutsford does that. This question does not belong to the Secretary of State for the Colonies at all. It belongs to the English Government, and the chief actor is the Prime Minister of England, who is at the same time Foreign Minister. The communication made to us was from him; the information sought is for him, and the Secretary of State for the Colonies is only a medium in the regularity of business by which these communications are made. Well, this note was received, as I have pointed out, by the British Government on December 12. No communication was made to the colonies until January 23; then, for the first time, we were asked for information. Now, it will be remembered that this Government, after some communications of an irregular character with neighbouring Governments, and after consulting among ourselves, sent a telegraphic message on our own account through his Excellency the Governor in reply to this communication from Lord Salisbury. This communication of ours was dated March 31; and up to this time I have never heard of any person who has taken serious exception to the character and completeness of our communication; on the contrary, our opponents have more than once, on several occasions, complimented us on the character of this message. I think myself, without taking to ourselves any of the compliments paid to us, that we stated the case fairly and fully, and with sufficient emphasis of language. I must now, at this point, call attention to one or two passages in this message of ours of March 31. We put forth our claim to be considered in the exercise of treaty rights in these words: 'As these colonies form an important part of the Empire, it is submitted that our cause of contention is of sufficient national concern to be taken up by the Empire; if we have no voice in the making of treaties, it seems only just that our interests should be considered and protected by those who exercise that power.'

I maintain for the Government of which I am a member, that in these few words we stated on solid ground the claim of these colonies to be considered in the exercise of the treaty rights of the Empire, and I believe that we made good the ground of our contention. A little further on, towards the conclusion, after having stated as concisely, as clearly, and as emphatically as we could the difference between the impingement of the Chinese question on us and on British people resident within the United Kingdom, we use these words:—'It

is respectfully submitted that the examination of these principal phases of the question can only lead to one conclusion, namely, that the Chinese must be restricted from emigrating to any part of Australasia.'

That is surely clear and precise, as it is unquestionably emphatic and concise. We proceed:—'It will be seen that, while the question scarcely touches the people of the United Kingdom, it vitally concerns these great colonies, whose importance in their political and commercial relations entitles them to be protected by the diplomatic influence and the powers of treaty which belong to the Empire.'

Then we go on to say:—'With renewed expressions of our loyal attachment to Her Majesty, we urge that immediate steps be taken to open such negotiations with the Emperor of China as will result in permanent security to the Australian colonies from the disturbance of Chinese immigration in any form. The matter is too grave and urgent to admit of long delay.'

Then we conclude in these words:—'However desirable it may be to avoid the irritation and conflict of interests which may arise from local legislation of a drastic character, if protection cannot be afforded as now sought, the Australian Parliaments must act from the force of public opinion in devising measures to defend the colonies from consequences which they cannot relax in their efforts to avert.'

We stated our case, as I contend, fully, fairly, and truthfully. We stated our case in the highest sense in the interests of this people. We put forth our case in the interests of preserving the integrity of the union of the Empire. Well, what was the result? We certainly were not so foolish or simple as to expect a satisfactory reply at once, or even in a month or two months; but we did expect, after stating in this earnest and urgent manner the danger of our cause, the courtesy of some acknowledgment. Well, things went on until April 26, or twenty-six days after our message was sent, when at my instance his Excellency the Governor sent a message in his own name, reminding the imperial authorities that we had received no answer, and stating that all kinds of statements were being made on the spot, some to the effect that the English Government had decided not to interfere; that public feeling was very strong on this question, and that in the interests of peace and good order, and of the preservation of society itself, it was necessary that it should receive attention. This message elicited

no response either. From April 26, the date of our reminder, until May 12, we received no communication whatever; but by this time it was announced in various ways that inconveniences were arising in the colonies; that in the sister colony of Victoria the Government had taken the step of refusing to allow the Chinese to land; that these had left that port, and had come on to Sydney. These and various other statements appeared in the European world. The owners of the ships who were thus interfered with obtained audience of the Secretary of State; even merchants in China, who care nothing about these colonies, I presume, so long as their interests are served, had begun to complain of our action. Then we received from the Secretary of State this message, which, if it had come from any other quarter, would have been set down as a mean method of excusing procrastination, negligence, and unwarranted delay. This is the message:—‘Referring to your telegram of April 26, no foundation for report that Her Majesty’s Government refuse negotiations with Chinese Government. Negotiations being carefully considered. Her Majesty’s Government fully recognise strength of feeling.’

I say that if the same kind of treatment for this long time had been inflicted on any private person, and then a message of this character were received, it would be held as a specious device to cover culpable negligence of the interests at stake. I wish to say a word or two on the treatment which we received from Her Majesty’s Imperial Government. I do not know how any set of men could use more temperate language to make their grievance known; I do not know how within the limits of propriety we could employ English words more clearly to express the urgency of our complaint. Notwithstanding that, we are treated as if the wisest course was to let us alone and the excitement would die out, and there would be no need for anything to be done at all. I venture to say that a few other masterful displays of indifference like this on the part of the Secretary of State would do more than much more serious occurrences to sap the loyalty of these great countries. We can bear remonstrance, we can meet argument, we can make good our case against the world; but we cannot patiently stand to be treated with the frozen indifference of persons who consider some petty quarrel in a petty State of more importance than the gigantic interests of these magnificent colonies. I say this with the most earnest desire to preserve the integrity of the Empire,

with as loyal a feeling to Her Majesty the Queen as any other man amongst her subjects ; but we must be loyal to ourselves—we must be loyal to the Constitution under which we live ; and the only way in which we can be true to ourselves as Her Majesty's free subjects is to show that we have a lively appreciation of the great liberties—the great privileges—which we possess, and which we will never forfeit or suffer to be impaired. Now I am brought to the immediate events which have preceded the present action of the Government in appealing to Parliament. Every person who has regarded our course of conduct with anything like candour and a spirit of fair play, must have known that, if we could obtain no redress where we thought that we ought to have obtained it, we should about this time make the appeal which we are now making. It is not that we have neglected this question. It is simply that in fulfilling the first process of our action, we have waited a reasonable time for some courteous acknowledgment of our urgent appeal to be made by the Imperial Government. We could not have acted sooner ; we could not have acted a minute sooner. We have waited until there has been not only time for telegraphic communication, but also time for communication by the regular course of post. Getting no satisfaction whatever, we began to feel, as well we might—and I venture to think we should be unworthy of your confidence if we felt less indignant—we began to feel that we had been treated in a most unworthy manner. We do not represent insignificant communities ; we represent great, free colonies, which are fast approaching the threshold of national existence. We represent interests too colossal to be passed over in a flippant, or an unsatisfactory manner ; and we should have been unworthy of our post if we had not felt the slight, not offered to us, but through us, the constituted authority, to you, the representatives of the people, and behind you, to the free people of this great colony. Well, in the meantime, what occurs ? Ship after ship arrives in this port with Chinese passengers. A day or so before the arrival of the first ship, two large meetings of citizens were held in and near the Town Hall ; one inside, and the other outside the Town Hall. A large, irregular, and disorderly crowd of persons numbering, I believe, some 5,000 or 6,000, headed by the chief magistrate of the city, arrived at Parliament House, and as some honourable gentlemen observed to-night, it is almost by a miracle they did not invade this place, and drive you from your seats. Are we to have a

recurrence of such proceedings as those? Some honourable gentleman to-night—I think it was the honourable member for Wollombi—said that the police were blamable for this great outrage on the Parliament of the country. I am satisfied that the police were not to blame. In justice to that body, and in vindication of their character and efficiency, if I may be permitted, I desire to say that it was to the police a complete surprise, such as may occur anywhere under any circumstances in any country. The police had no reason to apprehend any such gathering at such a time—and especially it was incredible to them that the chief magistrate of the city would be at the head of such a body—and for that reason, and that reason alone, there was not a sufficient force to meet the emergency. If there had been any reason whatever to have apprehended such an occurrence, and I am satisfied there was none, there could have been a power here that would have prevented it—and if any attempt of the kind should be made in the future, there will be a power to render it impossible; for I do not believe the police were to blame in any way whatever. It was one of those surprises which will occur under the best discipline and the best regulation, and which cannot be guarded against. Now, one of the reasons, as I stated in the commencement of my observations, for the introduction of the Bill is to put an end to these disturbing and most poisonous agitations. If this could take place, which did occur only a night or two before the arrival of the steamship *Afghan*—if this could occur in this well-ordered city, and under the presidency of the Mayor, the chief magistrate of the city, what is likely to occur in the remote thickly-populated districts such as populous goldfields, where there are not the same means of preserving order, where there are not the same influences in favour of order at work, where the distances between the agencies of authority are much greater, where the means of concentrating force to quell disturbance are much more difficult—if it could occur in this great metropolis, what guarantee have we got that every centre of a thick population would not be distracted by disorderly and tumultuous assemblages of this kind? And so long as this question of Chinese immigration is allowed to rankle in the hotbed of every ill-formed and ill-informed passion—so long as that is permitted, there is food to feed inflammatory speeches and the mischievous dispositions of the worst class of persons who seek to lead the unthinking multitude. And if for nothing else than to stop this source of fuel

for feeding these inflammatory influences, in the highest interests of society, in the highest interests of preserving law, obedience to authority, and the promotion of peace amongst us, the thing must and ought to be stopped. And it is in that view that we think we are bound to do all in our power to bring this cause of contention amongst us, which bears such a plentiful harvest of ill-fruit, and which cannot bear any good fruit for us, to an end once and for ever. Now, if any person supposes that we have acted thoughtlessly or hurriedly, or without due regard to all the consequences, he is woefully mistaken. In this crisis of the Chinese question, and it is a crisis, we have acted calmly, with a desire to see clearly the way before us; but at the same time we have acted with decision, and we do not mean to turn back. Neither for Her Majesty's ships of war, nor for Her Majesty's representative on the spot, nor for the Secretary of State for the Colonies, do we intend to turn aside from our purpose, which is to terminate the landing of Chinese on these shores for ever, except under the restrictions imposed by the Bill, which will amount, and which are intended to amount, to practical prohibition. Now in what position do I stand in regard to this question? When the Mayor of Sydney pressed upon me to receive at Parliament House a deputation from that disorderly multitude, I refused to receive it. The request was modified, and I was asked at last if I would receive a deputation consisting of the Mayor and one or two other persons. My answer was that, with every respect for the Mayor and his high position, I could not recognise the disorderly proceedings which he countenanced by receiving him at that place; but when he wrote to me a respectful request, under his own name, as Mayor of the city, to know what the Government would do on the arrival of the *Afghan* with these Chinese passengers, I replied to him in writing that they would not be allowed to land. I have said sufficient to show my condemnation of the course he pursued; but, still, he was the chief magistrate of the metropolis of this country, and he was a very proper medium through which I might speak to the people of the country; and I consider that I have given, through the Mayor of this city, a written pledge to the people of New South Wales that these Chinese passengers shall not land. And, so far as I am concerned, I cast to the wind your permits of exemption. I care nothing about your cobweb of technical law; I am obeying a law far superior to any law which issued these permits, namely, the law of the

preservation of society in New South Wales. So far as I have means, against every power that can be brought against me, I will carry out my pledge given on that night in writing to the free people of this country, and not allow these men to land.

Now, what has been the conduct of the owners or agents of these ships? We have in the port at this moment, I believe, four ships freighted with Chinese passengers. We have the *Afghan*, the *Tsinan*, the *Guthrie*, and the *Menmuir*; I am not sure whether the last ship is in or not.

Mr. DALTON: She is at the wharf!

Sir HENRY PARKES: It does not matter. On board these vessels there are not 47, but considerably over 300 Chinese.

Mr. GARRETT: 600, with the two last ships!

Sir HENRY PARKES: And a portion of these are the men who were refused a landing in Melbourne. But what did the owners of the ships do? I am bound to say that they have acted, as far as I know, in the most commendable way from the first. The owners of the *Afghan* voluntarily wrote to me offering to carry back the whole of these people.

Mr. DIBBS: If you did not fine them. That was the condition!

Sir HENRY PARKES: There was no condition of the sort. I may as well state that I assured these gentlemen that the Government were not desirous of subjecting them to any inconvenience whatever that could be avoided. I assured them that while we were determined to carry out our decision in respect to their passengers, we had no desire to injure the ships or their owners, or to put them to any inconvenience, and they offered to carry back the passengers to China on the condition that those who had no proper permits, or who in other words were fraudulently on board the ship, should be carried back at the expense of the ship, and that those who had proper permits should be carried back at the expense of the colony, which I thought was an extremely fair and handsome proposal. The owners of the *Tsinan* went a little further, and offered that if we would be at the cost of conveying their Melbourne cargo by a coasting steamer to that port they would carry back, not only the passengers for Sydney, but the passengers for Melbourne. I communicated with the Government of Victoria, and they agreed to pay the cost of conveying the Melbourne cargo by coasting steamer to that port, and the offer on the part of the owners is to carry the whole of their passengers back to Hongkong. It is not a condition laid upon them by this Government; but we have their written offer,

and I should like to know whether that is not, to a large extent, a fair ground of justification for the step we have taken? I now come to the Bill. It proceeds to a large extent on the principles of the existing law. The provision for imposing a tax on the arrival of Chinese; the provision for limiting the number to be carried to the tonnage of the ship; the provision for imposing penalties; the provision prescribing the means by which those penalties are to be recovered, are all on the lines of the present law. If the principle is admitted of imposing a poll-tax of 10*l.*, I assume that no gentleman here will contend that the principle is affected by the tax being 50*l.* or 100*l.* The principle is in its nature precisely the same, except that it is applied in a way in which it operates more effectually. So that the principle of the Bill in all these clauses is exactly the principle of the present law. I now come to the new clauses of the Bill which distinguish it from the existing law. By the treaty executed between Her Majesty's Government and the Government of the Emperor of China, and signed on August 29, 1848, it is by Article 2 provided that British subjects shall be entitled to reside in a prescribed area at five cities in China, and that in those cities they shall be allowed to reside for the purpose of carrying on their mercantile pursuits without molestation or restraint. Now if honourable gentlemen will turn to the 11th clause of the Bill, they will see that it is in the very language of the treaty executed between Her Britannic Majesty and the Emperor of China:—'The Governor, with the advice of the Executive Council, may by proclamation in the Gazette set apart a defined area where Chinese arriving in this colony, after the passing of this Act, with their families and establishments, shall be allowed to reside for the purpose of carrying on their mercantile pursuits without molestation or restraint at the cities of Sydney and Newcastle, and such other places (not being more than five) as the Governor with the advice aforesaid may appoint.

So that it will be seen that we are more liberal to Chinese subjects than the Treaty is to British subjects; for while in a population of 400,000,000 Chinese, British subjects can reside at only five cities—I think seven is the number now, by subsequent Treaties—we are going to permit the Chinese to reside possibly at five cities in our limited population; and all I can say is, much good may they do there. Well, by these Treaties no British subject can travel in China without a passport to cover his liberty. We are going to do exactly the same. We

provide in the following clause that 'no Chinese who shall arrive in this colony after the passing of this Act shall be permitted to reside at or trade with any place or part of the colony, except as prescribed by last preceding section, and no such Chinese shall be permitted to travel in the interior without a passport.'

So that exactly what is done to us in China we do to Chinese in Australia, except that we do it with a more liberal hand, and I cannot see how any Treaty obligation can be violated, so long as we extend to our respected brethren from the Chinese Empire precisely the same class of rights which they extend to us. What is good for the British goose is good for the Chinese gander. The only provision that can press in any inconvenient way upon the Chinese residents in the country, is the provision requiring them to take out a licence, for which they are to pay a fee, which the committee may fix at any sum they like. We do not pretend to interfere with the liberties of any of the Chinese residents amongst us up to the present time; but we do consider it expedient in the public interest to require them to register their place of abode, and their names, and to take out a licence, so that we may know who they are and where they are. But with that one very rational and justifiable restriction, they are free to go where they like—to indulge in what pursuits they like—with one exception, which I shall allude to presently—and they are free to enjoy all the rights and privileges which we ourselves enjoy. I would be no party to legislation which would place disabilities beyond what I have indicated upon the Chinese population now in the country; but in regard to those Chinese who may arrive after the passing of this Bill—if it passes into law—they must enjoy the rights of residence just to the extent that the rights of residence are permitted to British subjects in China, and no further. So that under this law—supposing the Bill to pass into law, and I do not doubt that it will—there will be two classes of Chinamen in this country: those who arrived before the passing of the Act, and who will not be interfered with, except that they will be required to take out a licence, and to register their names and places of abode; and those who arrive after the passing of the Act, whose residence will be restricted to limited areas, and who will not be permitted to wander all over the country. There is another provision in the Bill which is justified by the laws of China. The Chinese are not to engage in

mining. British subjects are not allowed to engage in mining in China, and following that example, and extending to Chinese subjects the same rights, we forbid them to engage in mining pursuits in this country. These are the leading provisions of the Bill, and I maintain in the face of this great gathering of honourable men, that it is a fair and just, though somewhat drastic, measure for settling this question in the interests of this young nation, and settling it on the grounds of reason and enlightened policy, and in the interests of preserving the freedom and the great privileges which we enjoy. I have said before, and repeat now, that we are fully justified in everything that we have done. Our first object is to serve the people of New South Wales, and in this high service to preserve not only their liberties, but to preserve to them the peace, the law, the order, the safety of society. If this cause of tumult were to continue, those high conditions of the free people of this country could not be conserved. We have taken the steps we have to preserve to this people their great inheritance of freedom and security; and if in doing that we have infringed any law, I say that this House is bound in honour to indemnify us, because, in infringing the law, we have obeyed the higher law of conserving society and the best interests of this people. We appeal with confidence to have our conduct justified, and ourselves, collectively and individually, indemnified for the strong steps we have felt bound to take. And I appeal to gentlemen in all quarters of this House—I appeal to every section of my fellow-countrymen throughout the land—to support us in this effort to terminate a moral and social pestilence, and to preserve to ourselves and our children, unaltered and unspotted, the rights and privileges which we have received from our forefathers.

When the Bill went into committee, a few members, led by Mr. Dibbs, did their utmost to defeat it by mangling its provisions. Mr. Dibbs himself at once moved an amendment in these words:—‘From and after the 1st day of June next it shall not be lawful for any subject of China to land from any vessel, or to enter any part of the colony.’ Of course a provision of this kind, if embodied in the Bill, would render the Royal assent impossible, and in his clumsy adroitness, Mr. Dibbs conceived that it would at the same time

show to the unthinking that he was in earnest, and that the Government were not in earnest. The real friends of the Bill saw through this thinly-disguised attempt, and treated it accordingly. Mr. Dibbs then gave full vent to his spleen; the following are a few samples from his armoury of invective;—‘The Government had acted in a worse form than any bush-ranger who had ever scoured the roads of New South Wales;’ ‘the Government had exercised its power in a brutal manner on a harmless lot of people;’ in reference to myself, the working classes ‘would curse him living and dead for having outraged the country.’

The Bill was reported and passed through its remaining stages, and the House adjourned at fifteen minutes past seven o’clock on the morning of the 17th, having sat nearly twenty-seven hours.

In the Legislative Council the Bill received a difference of treatment which clearly marked the difference between a nominee and an elective Chamber—between men who hold their seats for life with no responsibility, and men who hold their seats for three years, directly responsible to the electors. The provisions relating to Chinese resident in the colony were struck out, but the Bill passed with its stringent clauses against future Chinese immigration. It is now the law, and has worked with complete success in stopping the influx of Chinese.

My speech on moving the second reading received much attention. It elicited strong expressions of approval, and it was made the subject of adverse comment in many quarters, and it even called forth an enquiry from the late Sir George Campbell in the House of Commons. On May 21, 1888, I wrote the following introduction to my speech. I quote it here as the vindication of my conduct which I put forth at the time:—

‘This speech is copied, with very few verbal corrections, from the admirable reports published by

authority, under the popular but somewhat loose designation of Hansard. In some quarters the speech has been received with a kind of criticism which I venture to say has been neither accurate nor just; and small consideration has been shown for the complicated difficulties which beset the question under treatment. If the colony could be relieved of the Chinese affliction by stilted phrases, slovenly dealing with facts, and unwarranted abuse of other men's motives, some of my critics in both Houses of Parliament and elsewhere are eminently qualified to settle the question.

‘I, however, have neither time nor inclination to offer any reply to these critics. The position which I and my colleagues have taken up is plain and visible to the people of New South Wales; and we look to our country for our vindication.

‘I wish to notice three points in the controversy, if controversy it may be called; but in noticing these only, I must claim to be understood as not admitting the correctness of several others.

‘(1) It is not true that I ever used language to show that I expected a reply in forty-five days from the Imperial Government to the telegraphic message sent from here on March 31. I complained of receiving no acknowledgment whatever. My words were:—

“We put forth our case in the interests of preserving the integrity of the union of the Empire. Well, what was the result? We certainly were not so foolish or simple as to expect a satisfactory reply at once, or even in a month or two months; but we did expect, after stating in this earnest and urgent manner the danger of our cause, the courtesy of some acknowledgment.”

‘(2) It seems to me something like insolence for men, who have not had to face our trial, to accuse the members of the Government of acting from panic, and of pandering to the multitude, when our course of patient and self-restraining action for many months past

is before them, and when I have expressly for myself and colleagues disclaimed any such action. My opening words in the speech of the 16th were:—

““I disclaim any attitude of even aversion to the Chinese people settled in this country; and I disclaim any possible action on the part of the Government in deference to public agitations out of doors. I am convinced in my conscience that neither have we at any time joined with those who have derided, and, as I think, traduced, the Chinese residents in this country: nor have we at any time yielded to the pressure of popular agitation.”

‘(3) I feel that I need not say a word in vindication of my loyalty to my Sovereign and to the Empire. The proofs of my devoted attachment to both are interwoven with my whole public life. But my loyalty would never lead me to prostrate myself before men, however lofty their station in the Queen’s service, who are still only subjects of the Queen like myself, and it would lead me by an overmastering obligation to do my utmost to protect from injury, neglect, or slight the great province of the Empire for the good government of which I, in common with my colleagues, am directly responsible. My first duty in the high office I hold is to serve New South Wales, and at the present moment I believe that this service, faithfully performed, demands of me “at all hazards” to preserve the soil of the country from the presence of Chinese. With a genuine feeling of loyalty to Her Majesty and her Imperial Government, I hold it to be a sacred doctrine that no Imperial Minister has any constitutional right to interfere with us in working out our system of self-government, and that under this system the right of self-preservation from a great threatening evil is one of the highest of our inalienable rights and liberties. In our national trouble we sought aid at the seat of the Empire, and we failed even to receive an acknowledg-

ment of our appeal. And it must be recollected that some of the parties with whom we had to deal talked loudly of appealing, and did actually appeal, to the Admiral on the station. It was in view of all this that I used the words on the 16th :—

“Now, if any person supposes that we have acted thoughtlessly or hurriedly, or without due regard to all the consequences, he is woefully mistaken. In this crisis of the Chinese question, and it is a crisis, we have acted calmly, with a desire to see clearly the way before us; but at the same time we have acted with decision, and we do not mean to turn back. Neither for Her Majesty’s ships of war, nor for Her Majesty’s representative on the spot, nor for the Secretary of State for the Colonies, do we intend to turn aside from our purpose, which is to terminate the landing of Chinese on these shores for ever, except under the restrictions imposed by the Bill, which will amount, and which are intended to amount, to practical prohibition.”

‘It is a noteworthy fact, that although the Government had been acting “illegally” for nearly a fortnight, in refusing to allow the Chinese to land, no virtuous member of Parliament said a word until our Bill was brought in on the 16th, and it was thought that there was a chance, not of serving the Chinese or of protecting the country, but of twisting our conduct in a time of extreme difficulty to a mean party advantage. I had previously offered for three members of the Government to confer with three members of the Opposition, with a view to agreeing upon a basis for legislation to secure unanimity, the question being considered a non-political one; but this was declined, no doubt with the hope of some chance turning up in favour of high-minded party ends.’

Among other measures of the Session 1887–8, the Attorney-General (Mr. B. R. Wise) introduced a Bill to

remodel and consolidate the law of bankruptcy. The Bill became law and is giving general satisfaction.

Another measure which gave rise to strong dissent from a minority in Parliament, was a Bill to provide for the establishment and maintenance of an additional naval force to be employed for the protection of the floating trade in Australasian waters. Bills of like character were introduced by the Government of the other Australian colonies, pursuant to an agreement arrived at by the Imperial Conference in London. That agreement was appended as a schedule to each of these Bills, and its scope and object may be gathered from the first four articles, which follow :—

The Commissioners for executing the office of Lord High Admiral of the United Kingdom of Great Britain and Ireland, &c., and the Governments of Her Majesty's colonies of New South Wales, Tasmania, South Australia, New Zealand, Victoria, Queensland, and Western Australia, having recognised the necessity of increasing the naval force for the protection of the floating trade in Australasian waters at their joint charge, have resolved to conclude for this purpose an agreement as follows :

ARTICLE I.

There shall be established a force of sea-going ships of war, hereinafter referred to as 'these vessels,' to be provided, equipped, manned, and maintained at the joint cost of Imperial and Colonial funds.

ARTICLE II.

These vessels shall be placed in every respect on the same status as Her Majesty's ships of war, whether in commission or not.

ARTICLE III.

The officers and men of such of these vessels as are in commission shall be changed triennially, and of those in reserve as may be considered advisable.

ARTICLE IV.

These vessels shall be under the sole control and orders of the Naval Commander-in-Chief for the time being appointed to command Her Majesty's ships and vessels on the Australian station.

These vessels shall be retained within the limits of the Australian station, as defined in the standing orders of the Naval Commander-in-Chief, and in times of peace or war shall be employed within such limits in the same way as are Her Majesty's ships of war, or employed beyond those limits only with the consent of the Colonial Governments.

I moved the second reading of the Bill on November 24, 1887. The debate was protracted over two nights, and some animated speeches were delivered, the little party in opposition to the Bill being composed of members from both sides of the House. The principal grounds of opposition were, that the Bill committed the colony to the quarrels of the Old World, and that it brought the people under payment of 'tribute' to the power of England. It was further objected that the colony had no voice in the command of the fleet in the maintenance of which it was called upon to pay its share. As the naval arm of defence is the most valuable to the colonies, which are not in a position to create, and hitherto have shown no disposition to undertake, the vast expense of creating a fleet of their own, these facts alone would seem to be a sufficient reply. However, an amendment was moved that the Bill be read the second time that day six months. This was defeated by forty-one votes to nine, and, thereupon, the second reading was carried by a similar division. An unusual incident followed; the members, who had been in the House all night, rose to their feet as the daylight

streamed in through the windows, and gave three cheers for Australia, and three cheers for Old England.

Besides these great Acts of Parliament—reducing the Customs tariff to simple proportions on the basis of Free-trade, creating an entirely new authority for protecting the people in large expenditures for public works, placing the State railways under a system of non-political and competent management, dealing effectually with the Chinese difficulty—a large number of other useful measures were passed into law. The Ministry, which had held office for eighteen months when Parliament was prorogued on July 24, 1888, could point to as fair an array of important legislative measures as any Ministry that ever existed in New South Wales.

CHAPTER XXII

SHORT SESSION—FINANCIAL CONDITION OF THE COUNTRY—FACTIOUS ADJOURNMENTS—AUCTION SALES OF CROWN LANDS—MY EXPLANATION AND DEFENCE—PAST AND PRESENT GOVERNORS—ADDRESS TO THE QUEEN—MY SPEECH IN SUPPORT OF IT—UNANIMOUSLY AGREED TO—ANOTHER MOTION OF CENSURE—MAJORITY FOR THE GOVERNMENT—DEFEATED BY OUR OWN FRIENDS—RESIGNATION.

PARLIAMENT was opened for the necessary business of 1888 on October 23. After the heavy labours of the last previous Session, it was intimated that it was 'not intended to enter upon the discussion of any large measures during the Session.' The object of the Government, which appeared to be generally approved, was to place before Parliament the yearly exposition of the finances, to make provision for the public service, and to leave large debatable questions for the Session of 1889.

The Treasurer (Mr. J. F. Burns) made his financial statement on the 31st. In reference to the progress of the colony he showed, from figures supplied by the

Statistical Department, that the increase of population by the excess of arrivals over departures in the several Australasian colonies within a given period was 606,000 souls, and that 259,000 of this number fell to the lot of New South Wales. He estimated the expenditure for the year, two months only of which had to expire, at 8,719,698*l.*, and the revenue at 9,040,368*l.* The increase of revenue was shown in nearly every department, which was gratifying as a commentary on our Free-trade legislation. In reply to the taunt that the Government lived upon land sales, Mr. Burns showed that, although the Government had power under the Act of 1883 to sell 200,000 acres of the public lands within a year, they had not in fact sold more than 107,374 acres, amounting in value to 139,602*l.*, while they had expended from 600,000*l.* to 700,000*l.* on roads and bridges.

This was a statement which could not be other than satisfactory to our friends as well as to ourselves and to the general public, after our successful legislation in the fields of tariff reform, public works reform, railway reform, and improved National Defence.

Among the plans of operation of some Oppositions which have had existence in New South Wales may be noted the plan of moving the adjournment of the House, and getting up a debate in which to introduce all manner of subjects, the more irrelevant the better. Two purposes were served by this praiseworthy proceeding—attacks could be made which, as a rule, could not be answered, and the time at the disposal of Government for the work of the day could be irredeemably wasted. This glaring abuse has been largely checked of late years by a standing order, introduced at my instance, which requires the mover to state the subject of the motion of adjournment in writing, compels adherence to the subject in debate, and limits the time—the mover to one hour, and other members to

twenty minutes each. Early in the Session the adjournment was moved to make charges against the Government of having sold the public lands by auction for the purposes of revenue. This was an old charge, which had often been made for party ends on the most extravagant and reckless statements. On this occasion I repelled the attack, and defended the Government and myself in the following speech:—

I must confess that I am at a loss to know why this debate is introduced at all. Certainly, the slender peg on which it was held did not justify such a course as this. On the first night of our meeting it appeared to me that a most disingenuous attempt was made to hold me up as a promoter of auction sales. It appeared to me an attempt which was disingenuous in the extreme; but I did not care to take up the time of the House in explaining my position in that matter; and it appeared to me the simplest and the shortest way to write to the able man who was the permanent officer in the Land Department, to ascertain whether my recollection was correct, that I never took any step whatever towards promoting auction sales when I was in charge of the Lands Department. When I got the reply to that letter I still did not presume to occupy the time of this House in a matter simply affecting my reputation, and I merely handed the correspondence to the newspapers for what it was worth, without word or comment. I did this because, though what had been stated materially misrepresented me, and, if not purposely, wantonly misrepresented me, still I did not consider that my position was of sufficient importance to bring it before this Assembly. Now, during this discussion, the old form of abuse has been resorted to, of fixing upon this Government a desire to alienate the public estate, because, say these traducers, the former Parkes Government did something or another. How can this Government be responsible for what the Government did of which I was member some years ago, and which, if we are to believe these gentlemen, was so signally punished, which was so crushed in the elections, though, as a matter of fact, the truth is that, if we had stood our ground and challenged a division, we should not have been beaten beyond five or six votes? The crash, of which so much is said, was so great that

we should not have been driven from our seats by a majority of more than five or six votes even at that time. That is well ascertained; but still constant allusion is made to that time, and made to it most unnecessarily. Now, let us see whether the Parkes Government, which existed from the end of 1878 to the beginning of 1883, were promoters in any marked manner of these auction sales. Notoriously they were not; notoriously they did nothing whatever to stimulate the alienation of the public estate by public auction. As has been explained before, the system of alienating the public land by auction had existed from the very outset of Responsible Government, and long before that epoch. When Responsible Government was introduced, no attempt whatever was made to stop this mode of alienation, and Government after Government went on, that being one of the chief modes by which land was alienated. Theoretically, the offering of property by public auction is about the fairest way in the world; and I suppose it was because the principle of fairness is admitted so universally in auction sales that this policy went on with that system of sale. I have taken the volumes which we have on our shelves, labelled 'finance,' for several years, while this debate has been proceeding, to see what was the course pursued for many years in alienating the land by public auction. Let it be borne in mind that, if you are to judge of the significance of figures in this mode of parting with portions of the public estate, you must consider them constantly in connection with the increase of population. Land, I presume, can only be sold on any ground of justification to supply the wants of the population. If that is admitted, and admitted it must be, it is natural that, as the population increased, so should the area of land disposed of increase to keep pace with settlement. The Parkes Administration, to which this unnecessary reference is continually made, came into office during the last days of 1878; I think it was on December 21, 1878. They remained in office through 1879, through 1880, through 1881, through 1882, that is, through four complete years, and a few days of the preceding year and of the succeeding year. The population of course steadily increased during these four years. Let us see now from the public records which I have just consulted, and which you all can consult, whether this charge against us is so well founded that it can be justified in being repeated once. In 1875 the amount taken for the sale of public lands was 1,019,052*l.*; in 1876 the

amount of auction sales was 1,548,888*l.*; in 1877 it increased to 1,967,057*l.* During these three years, I know, Sir Alexander Stuart was in office as Colonial Treasurer for a considerable time; I do not remember at this moment in what portion of the three years. In 1878, when Mr. Farnell and Mr. Fitzpatrick were in office, the sales by auction amounted to 1,061,670*l.*, showing a decline of nearly 900,000*l.* In 1879, the first year in which I was in office, the sales by auction fell to 698,000*l.*, or less than half what they stood at in 1877, though the population had increased by 100,000 souls. In 1880, the second year in which I was in office, the amount of sales by public auction again declined to 437,964*l.*, or not one-third—a little more than a fourth—of what they were in 1877. In 1881 the amount of auction sales was 566,404*l.* Now, I was interrupted, and had not time to get the figures for the other year, that is, the last year of my being in office; but what I have adduced is sufficient to show how utterly unsupported by facts, how utterly wild, is the accusation that we stimulated sales by auction. We took over a system that had existed from the very foundation of Responsible Government, which had been maintained from the very early records of the colony, and so far from our stimulating the sales by auction, under our management they largely and visibly declined; so that, notwithstanding that the population had vastly increased, we did not sell so much land by two-thirds as our predecessors had sold with a much more limited population. I hope I have heard the last of this unearthing. I suppose it belongs to that kind of policy which is always raking up the mouldy things of the past; but, at all events, gentlemen who appeal to the records of the country ought to take the trouble to see whether they are quoting correctly. I now come to what we have done. I might say that the only really fair speech that we have had was that of the honourable gentleman who spoke last before me, the honourable member for Wentworth (Sir J. P. Abbott); and I was very glad to hear him, who knew so much about it, repudiate the idea that in the Act of 1884 it was intended to limit the sales to the amount of 200,000*l.* If that had been intended it would have been expressed in the law. It is simply rubbish to interpret the letter of an Act of Parliament by saying that something quite different was meant. The Act states plainly enough that the limit shall be 200,000 acres. If it had been intended that land should be sold only to the value of 200,000*l.*, it would

assuredly have said so. Whatever latitude is allowed in the interpretation of an Act of Parliament, such a latitude as that was never heard of. What have we done? The honourable member who introduced this debate, and who attempted in such a disingenuous manner to hold me up to odium for my action at the Lands Office, belonged to the Government that immediately preceded us; and what did that Government do? The Government of Sir Patrick Jennings and Mr. Garvan did what no other Government at any time presumed to do. They said in writing that, in the present financial position of the country,—placing on record under their own hands what they intended—it was necessary to sell land to the utmost acre allowed by law. No other Government has said that. No other Government has placed it on record that they wished to alienate the public estate merely for the purpose of meeting the financial necessities of the country; but they have done it. They are branded with proclaiming to the world that they desired to sell every acre that the law would allow them to sell in order to meet the financial necessities of the country. And what steps did they take to do this? They directed 500,000 acres to be put in the market, so as to be sure to sell 200,000 acres. That is what those gentlemen did; and they are the gentlemen who accuse us of violating the letter of the law. In 1887 this Government, instead of selling 200,000 acres of land, as we are allowed to do, sold only a little more than one-half that quantity, notwithstanding that we had the encouragement of the minute of the late Government that it was necessary in the face of the financial difficulties of the country to sell every acre which the law allowed to be sold. This encouragement was given to us only twenty-eight days before we took office. What have we done this year? We have not sold 200,000 acres. We had sold only 53,570 acres up to September 30, so that we shall have a good run yet before we come up to the Jennings Government standard of selling the whole quantity allowed by law on account of the financial difficulties of the country. Well, I do not think that the attempt to blacken our character has been very successful. We have faithfully carried out the spirit of the law, and we have done nothing beyond that. We have shown no disposition whatever to force the land into the market. Now, a word or two about this question of land nationalisation. Some gentlemen on the other side and a gentleman on this side are crying out for land nationalisation. An honourable member

opposite said, 'I am a faithful disciple of Henry George.' Then will he adopt all the extreme views of Henry George on the subject of Free-trade, which he connects with land nationalisation? He says that the philosophers of England and America do not go far enough, simply because they do not go into land nationalisation; but before Henry George was heard of we had far greater men, J. S. Mill and Mr. Russel Wallace, who, perhaps, were among the finest, if not the greatest, thinkers of our time, who held this opinion also, basing their view upon the fact that as land was not created by labour or by intellect, but was a thing bestowed by the Maker, it could not become property in the same sense as other forms of property created by labour or intelligence; but merely because it is essentially very different from other forms of property, it is not one whit more easy to nationalise it. The obstacles to nationalisation are manifold, deep-seated, and close at hand. They exist in human nature itself. Just in proportion as a man is anxious for the safety of his family and their progress in life, just in proportion that he is a valuable member of society, does he find himself struck with a passion to possess a freehold home:

The pride to rear an independent shed,
And give the lips we love unborrowed bread

is stronger than any laws, more subtle and deep than any philosophy, and form what schemes you may for the nationalisation of the land, they will be broken down by the best instincts, the best aspirations, and the holiest passions of the best part of the human race. There is the rock on which all these philosophers' hopes will be wrecked in their schemes; and so long as time lasts, so long as society endures, you never will see this dream of the fanciful philosopher, a common inheritance in the land of a country.

Very naturally much interest is attached to the appointment of Governors, and indeed, by a limited class, to everything belonging to them. I suppose it is the case in all countries; at all events in New South Wales there is a small floating crowd of persons, not including the most important colonists, whose chief ambition is to disport themselves in the sunshine of Government House. I believe it is a fact that the

most distinguished man of our early political annals, and the richest colonist of the present day, cannot be numbered among Viceregal guests—never entered the Governor's doors. To many men the ceremony and restraint amount to a burden, to others the thought of taking the first step in etiquette never crosses the mind. And some men of large means and good position would run many miles in an opposite direction rather than sit down at the Governor's table. My acquaintance with Governors extends over forty years. I have served in Ministerial office under six, three of whom, Sir John Young, Sir Hercules Robinson, and Lord Carrington, have honoured me with their personal friendship. Previous to my acceptance of office I seldom visited Government House. Though I received repeated invitations, I never once dined with Sir Charles FitzRoy, and only once or twice with Sir William Denison. Though I had a deep respect for the office of Her Majesty's representative, I had no business and no inclination leading me to the Viceregal palace. My first official experience was with Sir John Young, who lives in my memory as one of the finest characters I ever knew. Fully informed on political subjects, he was frank and modest in communicating to others the lessons of his experience. While bearing himself with an inborn courtesy which gave grace to his words and actions, he was clear and decisive on all matters of official business, and in intercourse with him one received instruction unawares. I have always considered it fortunate for me that my early official life came under the influence of Sir John Young, who was so eminently qualified by long experience in Parliamentary life, and association with great minds, to advise his advisers. I continued to correspond with Lord Lisgar (the title by which he was raised to the peerage) all through his government of Canada, until near the close of his life. Elsewhere I have spoken of

Sir Hercules Robinson, of his high-toned, manly character, and his eminent qualifications for the Vice-regal office; and I shall have occasion to speak of Lord Carrington in a later chapter.

It is a pleasure to acknowledge the high type of men appointed Governors of New South Wales. Even before the constitutional epoch there was Gipps, and Bourke, and Macquarie; perhaps better men could not have been found for the times in which they held office. But the Governors up to a very recent period received very different treatment from that accorded to the representative of Royalty in the present day. One of the ablest of them once said to me, when on the eve of leaving the colony, that he had always desired to visit the district of Mudgee; but that he could not consent to accept the hospitality of private persons; he could not afford to pay the expense out of his private purse; and there was no allowance authorised by Parliament for travelling. Up to the time of Lord Belmore, the Governor had to furnish his family apartments at Government House, and the luxury of special railway trains and steam launches was unknown. Even Sir James Martin brought the case of an unauthorised piece of furniture for Lady Young before Parliament. All that is now altered; and I am not disposed to express any opinion on the change. In any case it is not a whit worse than the extravagance on public buildings for official purposes.

During this Session a step was taken on my motion to bring about a change in the appointment of Governors. It will be seen that this did not arise from any feeling of dissatisfaction, though there was fair ground for complaint in one or two instances. But it was felt that these self-governing colonies during the last generation had shown such marked political development, and had grown to a position so vast in commerce, wealth, and distinctive character, as com-

pared with former times, that their chief office, not only as headship of the local governing system, but as the principal link connecting them with the parent State, ought no longer to be regarded as a mere prize in the civil employments of the Empire. The sentiment which was seeking to find national expression was, that an Australian Governorship ought to be an object of honourable ambition, without regard to salary or emolument, not second to a seat in the British Cabinet.

On November 21 I moved in the Legislative Assembly the adoption of the following address to the Queen :—

(1) That the following address to Her Majesty the Queen be adopted by this House :

To the Queen's Most Excellent Majesty.

May it please your Majesty :

We, your Majesty's loyal and dutiful subjects, the members of the Legislative Assembly of New South Wales, in Parliament assembled, desire to renew the expression of our devoted attachment to your Majesty's throne and person, and to respectfully represent that circumstances occurring in a neighbouring colony have given rise to certain grave considerations in relation to appointments to the office of Governor.

1. We gratefully acknowledge the wisdom of the selection of the present Representative of your Majesty in New South Wales, who, in the performance of his high duties, has secured the respect and confidence of all classes of the inhabitants.

2. In view of the great and growing interests of this colony in connection with the Empire, we desire dutifully to convey to your Majesty the expression of our opinion that no person in the future should be appointed to the office of Governor who has not had experience in the conduct of public affairs, in high political office, or in the Imperial Parliament.

3. Though not desirous of interfering with the functions of your Majesty's imperial advisers, we humbly submit that it is desirable and reasonable, and in strict accord with the privileges constitutionally conferred upon your Majesty's Australian subjects, that in future the Government of the colony should be

informed of any intended appointment to the high office of Governor, before such appointment is finally made.

(2) That Mr. Speaker be authorised to sign the address, and transmit it, both by telegraph and post, through His Excellency the Governor, to the Right Honourable the Secretary of State for the Colonies.

In support of my proposal, which was entirely new to an Australian Legislature, I delivered the following speech, which, I venture to think, sets out with tolerable clearness my reasons for appealing to Parliament for its adoption:—

I shall not consider it necessary to trespass long on the time of the House, nor shall I consider it needful to make any strong appeal to the House to adopt these resolutions. I wish at once to say that I do not take this step with any desire or intention of disturbing, still less of weakening, the relations between these colonies and the mother-country, and I think I take it in the interest of the Empire. It appears to me that if this address to Her Majesty is adopted—and this form, which the House is asked to assent to, is the best form to convey its opinion—if this address is adopted it will tend to increase the dignity of the office of Governor, it will tend to strengthen the claims of the colonies, and it will only be consistent with the developments of national life which everyone of us must see going on in our midst. There is in the life of nations periods when processes are silently at work, which the mass of living men never see, and which are only detected by the clearest sighted and the most philosophical observers. These processes of thought proceed from one stage to another, until eventually they culminate in clear doctrines, which are afterwards embodied in strong national action. I think that a period of this kind is passing over these colonies at the present time. It has been said by De Tocqueville that prior to the great Revolution in France no one dreamt of what was going to take place; that although men were standing as it were upon the quaking surface of a volcano, everything went on just as usual without any person, excepting perhaps one in 100,000, suspecting that the causes were at work to produce the most tremendous changes which ever took place. Nothing of the kind is likely to occur here, but something may occur much more conducive

to the peace, the well-being, the contentment, and the abiding happiness of the human family; and certainly the national life of these great colonies has so far grown, and grown with every succeeding year, that the wisest men amongst us, the wisest men in the world, cannot forecast the events of the next decade. I think that it is of the very highest importance, viewing steadily our connection with the mother-country—and viewing that alone—that Her Majesty's imperial advisers should be fully informed of the increased responsibility that falls upon them in appointing gentlemen to the high office of Governor in countries where the institutions of self-government have been conferred on the people. I shall have to allude, but I hope with becoming respect, and as briefly as possible, to the proposed appointment of a Governor in Queensland, which has led to what has taken place in several of the colonies, and which certainly has led to my asking the House to assent to this motion. If any person will read the life of William Edward Forster, he will see that during that gentleman's administration of the affairs of Ireland as Chief Secretary, which terminated a little over five years ago, Mr. Blake was at that time employed in the police service; that when Ireland, under Mr. Forster's administration, was divided into districts for the purpose of suppressing the Land League—I think that the districts each consisted of two counties—Mr. Blake was selected as one of the provisional magistrates answerable for the security of life in one particular district. I have not one word to say about Sir Henry Blake, but whatever his personal character may be, whatever his ability may be, whatever his attainments may be, I ask—and I ask with an assurance of the answer which I shall receive from every thoughtful man—whether a person in that employment in the imperial service is the person five years afterwards to be appointed the head of Government where Parliamentary institutions exist? No one, I think, can for a moment say that. Now, that is all that I shall say with reference to the incident which has given rise to this motion; but I cannot refrain from pointing out that my motion, if adopted, means this: a termination of the employment of what may, without disrespect, be termed professional Governors: that the time has come when no man as a mere step of promotion in the imperial service, should be appointed as Governor of one of these great colonies. That is what my motion means. I desire to speak with an absence of anything like disrespect, or even dis-

courtesy ; but I say that the time has come, and what I desire the House to say is that precisely the same qualities which point out men to be selected to assist in the administration of the Empire, shall be the qualities pointing out men to be selected as Governors of these great colonies. Coming to the address itself, it will be observed that the first paragraph expresses satisfaction with the appointment made in this colony. It appeared to me that it would be ungracious not to point out that we have no special cause of cavil, and that in the selection in our own colony we were perfectly satisfied. It appeared to me that it would be wrong to pass over that, lest it might be surmised that some latent dissatisfaction exists. In the next place, my address points out that in future the selection for the office of Governor should be confined to persons who have served in high office, or in the Imperial Parliament. I know very well that that is not a very definite description ; but it is impossible to give a definite description. It, however, sufficiently indicates the class of men to be well understood by the mind of the Imperial Government. What is meant is that the Governors in future should be confined to that class of public men who had already indicated qualities to fit them for assisting in the government of the Empire, or, in other words, persons accustomed habitually to the consideration of the high affairs of State. I would go even a step further in what I say in support of this motion, and say that no man ought to be appointed by the Imperial Government in future merely for the sake of the salary attached to his office ; it ought to be an object of the same kind of ambition as the object to serve the State as a Cabinet Minister ; we ought to have no man sent to any one of the colonies as Governor who accepts the position for the mere sake of the salary and the emoluments which attach to the office. I now come to the last paragraph of the address, which, while studiously admitting that the appointment rests with the imperial advisers of Her Majesty—I admit that fully, as fully as possible—at the same time asks the very reasonable and just thing that the colonies should be informed as to whom the Imperial Government intend to appoint before the unalterable step is taken. That appears to me to be reasonable, and in the highest sense desirable, and strictly in accord with the spirit of our free institutions. It is far better if an occasion should arise for any representation to be made, that it should be made in time rather than that it should be made when it is too late ;

and, beyond all that, it appears to me to be a concession which the growth of the colonies in all the national attributes entitles them to. With regard to the class of men indicated in the motion as those whom I ask the House to express its opinion should be appointed in future, I may instance two in our own experience. If it were not that I am restrained by motives of delicacy, I might even say of rigid propriety, from adverting to examples on the other side, I could readily point out cases where inconvenience—not to use a stronger term—has been markedly caused by Governors of this colony, or of some other colony, owing to their not having that kind of experience which I think that a Governor ought to have; but I will abstain from taking that very undesirable course. However, there is nothing to prevent me pointing out the advantages on the other side. We had appointed as Governor of this colony some years ago a gentleman who had not only served in the Imperial Parliament for some years, but had also served in the very high and important office of Chief Secretary for Ireland. That gentleman—I mean Sir John Young—was one of the very best Governors who ever appeared in Australia. That was the result of his high Parliamentary experience, and his long communication with the ruling men of the parent State; and it is utterly impossible for any person who has had the experience, which fortunately Sir John Young had had, to be other than a highly enlightened, constitutional Governor. I might mention the case of our present Governor. He has not held high office, but he has served in the House of Commons and in the House of Peers, and he has throughout his life mixed with ruling men, and he has had sown in his very disposition, as it were, the principles of the form of government under which we live, and, although he does not strictly conform to the qualifications which I lay down, he at the same time, from his intimate association with leading men on both sides of the House in the mother-country, is eminently fitted by that kind of knowledge which alone can be derived from such an atmosphere. I need hardly point out that the events which have already taken place leave the colony no course other than to express the views of the people. We cannot, if we would, abstain from joining with our sister colonies in a matter of this kind, and at a time like this. It would be detrimental to our standing as a great colony, and it would be inconsistent with the claims which we have a right to put forth to the world. I think that I need say nothing to

convince all sections of the House that we only perform our duty to the sister colonies to the north and the south also, and a duty which we owe to ourselves, in giving expression to the views to which I ask the House to assent. I ask the House to take no rash, no sudden, no unnecessary leap. I ask the House to strain no principle; but I ask the House to give consistency to that feeling which must be alive amongst us, to that principle of self-government which lives in all our institutions. The address to Her Majesty which I ask the House to adopt is in strict consistency with these conditions of our national life. I beg to move the resolution.

A lengthy debate followed. Mr. Dibbs said his side of the House was in full accord with the resolutions, though, as in duty bound, he took exception to something in the manner of submitting them. Mr. Garvan, also on the Opposition side, looked upon the 'resolutions submitted as exceedingly important, and involving, perhaps, more important issues than were ever submitted before in resolutions to the Parliament.' But he wanted more time to consider them on account of their importance. The late Mr. David Buchanan, who had 'always advocated separation from England, and the independence of the country,' moved an amendment to give effect to his views in these words:—

That the question be amended by the omission of all the words after the word 'That' with a view to the insertion in their place of the words 'in the opinion of this House, the political connection of this colony of New South Wales with England tends seriously to obstruct and injure the free and independent government of this country by its own people.'

(2) That, in consequence of events which have happened of late in neighbouring colonies, that cardinal principle of democracy, that all free people should have the right to select and appoint their own rulers, has been disputed by the English Government, and denied to the colonies. This House is, therefore, of opinion that a political connection so subversive of our most valued rights should no longer exist.

(3) That the above resolutions be transmitted by address to the Governor, to be despatched by telegraph and letter to the

Principal Secretary of State for the Colonies, for presentation to the Queen.

The late Mr. James Fletcher replied to some of the objections on his own side :—

Exception has been taken to the mention of our present Governor in the resolution, but, for the life of me, I cannot see how it is possible to send home a resolution like this—unless we insert such a paragraph as that which has been objected to—without conveying to the home authorities the impression that the motion was proposed in consequence of some wrong-doing on the part of the present occupant of the office. This is an entirely new departure, and I say that it is a most proper thing to let the home authorities know that the Government have not been induced to bring forward this motion in consequence of anything that the Governor has done, but because there is a great principle which they, in maintaining the manhood of the people, have determined to establish for the future.

In reference to my speech, and some carping criticisms upon it, Mr. Fletcher said :—

The Colonial Secretary does not leave much room for equivocation. He is very mild, very respectful ; but there is something decided, which shows that the Colonial Secretary means what he says, and that he is determined the people of New South Wales shall know whom their future Governor is to be. I closely watched every word the Colonial Secretary said, and I defy any man living to find fault with what he said, unless for quibbling purposes.

Mr. George H. Reid also objected, as in duty bound, though he felt bound to vote for my motion. He said :—

The objections to this resolution which strike my mind most forcibly, although I cannot deny the abstract position taken up by the Colonial Secretary, are objections not from an imperial point of view—not in any sense with regard to the interests of the Imperial Government ; but it is the fear that the more interference is exercised by a local Government with reference to the appointment of a Governor, the more impaired will be his independence, the less desirable his position, the more open will he be to the suspicion of partiality, and the more unfortunate will be the position of the Opposition. So that upon the whole,

while I feel constrained to support the motion, owing to the able and very plausible way in which the Colonial Secretary has drafted the resolutions—although I feel that I must, as a matter of abstract right and reason, agree with the honourable member as to the first and third resolutions, still I hope he will see the inconvenience of the second—the inadvisableness of attempting to define any particular classes as being those from whom the Governors of this country should in the future be selected.

Mr. B. R. Wise, who is one of the rising men among the new generation of Australians, from whom much may be expected, spoke at some length in support of my motion. I quote the following passages:—

The honourable and learned member (Mr. Reid) admitted that he was unable to understand the third resolution. Therefore I am sure he will not take offence if he finds that I am unable to agree with the interpretation which he put upon it. The resolutions are intended to meet, not the demands of academic philosophers and theoretic disputants, but a practical difficulty that has arisen in another colony. What would have been the necessity, and where, I ask, would have been the statesmanship, of stating an abstract proposition as to the precise relationship which should exist between these colonies and the mother-country upon an occasion like this? What would have been the advantage, and where the statesmanship, of attempting to define precisely what ought, upon all conceivable occasions, to be the precise limit beyond which a Colonial Government ought not to go in objecting to the appointment of one gentleman as Governor, or recommending the appointment of another? What we have now to do is to see how we can best help a neighbouring colony in a grave constitutional difficulty with which it has been brought face to face. We can do that by sending a unanimous representation to the English Parliament that we are of opinion that before a Governor is appointed his name should be submitted to the Government of the colony for which he is intended. That involves us in no expression of opinion as to what should be done if the Government of England should choose to force upon a colony someone who was distasteful to the people. That question may be dealt with when it arises.

We are not now to consider the alarmist position which has

been presented to the House by the lively imagination of my honourable and learned friend. We are not to consider now the danger of Governors in the future being the nominees of the party in power. We are not to consider now whether the Government of the day may ever be put into the difficult position of having to choose between two candidates. We have not now to consider what steps the Government would take to ascertain who was best fitted for the office. But we have to say, and we can say fairly, upon the information now before us, that it is advisable in the best interests, not only of these colonies, but of England also, that the Government of the country ought to know before a man is definitely appointed whether he is such a man who, through no fault of his own, but, perhaps it may be from his virtues, is or is not distasteful to the people. The test of good government is the happiness of the people, and certainly the test of the qualifications of a Governor should be that he is acceptable to the mass of the people whom he is to govern. The reasons for disliking a man may be trivial in the extreme; but if they exist, it should be the duty of the Government of the day to represent that fact to the imperial authorities. After an expression of opinion of that kind, no one would be forced upon a community against the will of the people. The objections to the proposed course are imaginary and unsubstantial; but the advantages are real and great.

After some further debate, the House divided at midnight. Mr. Thomas Walker was the only member who voted with Mr. Buchanan for his amendment, and the address to Her Majesty, as proposed, was agreed to unanimously.

The Government was not long before it was entertained with another motion of censure. Mr. Dibbs, who, when in the murky shades of Opposition, lives with votes of censure hung up all round him like Chinese lanterns, moved, on November 30, that the Statement of Ways and Means be referred back to the Treasurer. The motion gave rise to a dreary, irrelevant debate, which simply wasted time. Mr. Dibbs's own friends left the House in anger or disgust, and when the division came his motion was defeated by 42 to 18 votes.

The Houses adjourned over the Christmas holidays on December 21, and reassembled on January 8. On the 9th Mr. Want, who had held office as Attorney-General with Mr. Dibbs, and afterwards with Sir Patrick Jennings, moved the adjournment of the House to bring under notice the appointment of one of the Railway Commissioners. Mr. Want had moved in this matter some weeks previously, and I had promised to make enquiries. These enquiries I made, and the Government were satisfied by the result that the charges and insinuations against the Commissioner were unfounded. The papers were laid before Parliament. It did not appear to me that I was called upon again to reply to Mr. Want. In consequence of my silence Mr. Want became angry, and 'called upon every right-minded and honourable man in the House to support him if he called for a division upon his motion' as a vote of no confidence. Nine gentlemen who usually voted with the Government, and who were elected as Ministerial supporters, thought it their duty to vote on this motion in response to Mr. Want's appeal, and the House was then adjourned. The next morning, on behalf of my colleagues and for myself, I tendered the resignation of the Government. In conversation, Lord Carrington asked whether, in my opinion, he should send for Mr. Want. I replied that, as a large majority of Free-traders had been sent into the House, and as Mr. Want was a Free-trader, for that reason, and also because by the success of his motion he was the direct cause of our retirement, he appeared to be the proper person to form a Government to supply our places. His Excellency sent for Mr. Want, who, however, declined the task, I believe on the high constitutional ground that he was about to take a pleasure-trip to Japan.

Mr. Dibbs was then sent for.

CHAPTER XXIII

MR. DIBBS AGAIN PRIME MINISTER—GENERAL ELECTION—RALLYING CRY OF THE NEW GOVERNMENT 'PROTECTION'—DEFEATED—FORMATION OF THE FIFTH PARKES MINISTRY—THE NOMINEE PRINCIPLE IN THE LEGISLATIVE COUNCIL—ITS EVIL WORKING IN NEW SOUTH WALES—STRANGE ABUSE OF IT IN NEW ZEALAND—MY EXPLANATORY STATEMENT IN PARLIAMENT—THE LAND BILL SUCCESSFULLY PASSED—MR. MC MILLAN AND THE STATE OF THE FINANCES—THE DEFENCES OF THE COLONY—MY SYMPATHY WITH THE EARLY VOLUNTEER MOVEMENT—GENERAL EDWARDS ON THE SOLDIERLY QUALITIES OF OUR MEN—LETTER FROM LORD CARNARVON ON THE SUBJECT—PRESENT STRENGTH OF THE FORCES.

MR. DIBBS undertook the formation of a Ministry. Though the estimates of expenditure were nearly all passed, the sudden and unexpected Ministerial crisis left the country without the Appropriation Act. When his Ministry was formed and sworn on January 17, Mr. Dibbs applied to the Assembly for a temporary vote of credit, which, in my judgment, he was justly entitled to, but a majority thought otherwise, and Parliament was at once dissolved without Supply. During the elections the public service was carried on by irregular means similar to the unconstitutional course resorted to by Sir James Martin in 1871-2. The opening speech admitted that the course which Ministers had been 'compelled to adopt,' was one which must be condoned by Parliament.

The new Prime Minister issued his manifesto, and in bold words declared his determination to reverse the fiscal policy of the country. In his published address to his constituents he said :—

Being favourable to a change in the fiscal policy of the country, we were bound to take, as we have taken, *the very first opportunity* of asking the judgment of the people as to whether they will empower us to bring about that change. The situation must be vigorously dealt with.

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The time has arrived when the inauguration of this change ought to be no longer delayed.

I joined with my political friends in fighting for the flag of Free-trade throughout the elections, and we won by a narrow majority, but my feeling was very strong not to assume Parliamentary leadership. When the new Parliament met, the valiant Prime Minister had lost his courage. It was proposed to postpone the change which before the electors was 'to be no longer delayed.' The millennium of dearness and restriction was not quite come. The Governor was made to say in the opening Speech: 'It is not intended to submit any proposals for fresh taxation during the present Session.' The Government pleaded that 'the very first opportunity' might be allowed to slip by, and that 'the situation might be vigorously dealt with' at a more convenient season.

In the meantime, I had to consider my own position as an individual member of Parliament released from political obligations. Smarting under the recollection of the treatment I had received in the desertion of Government supporters on Mr. Want's motion, I had no desire for a repetition of that experience. I felt that I had done nothing to justify their withdrawal of their belief in me when it was a question of my conduct against the conduct of an unfriendly critic, and I felt keenly that an injustice had been done to an honourable man and a public officer, for whose appointment I was largely responsible, and in respect to which I had scrupulously considered the public interest alone. I took no step to induce any man to regard me as one intending to assume a responsible place in the state of parties which the ballot-box had revealed. I wrote to Mr. William McMillan, who had acted as chairman at several meetings, stating distinctly my unwillingness to be more than a member of the party. I had never shrunk from sharing in the struggles of the forlorn

hope or from fighting an uphill battle, however great the odds against us, but I was not prepared to undertake leadership where any falsehood, however black, concocted by opponents, would receive the partial countenance of professed friends. Notwithstanding this attitude on my part, at a numerously attended meeting of the Opposition, with Mr. McMillan in the chair, I was unanimously elected leader. It was difficult to decline this handsome testimony of the confidence of a great party, which I had not sought and which came upon me without a single expression of dissent.

I took my place in the Assembly and moved an amendment on the address, which, if carried, would inform the Governor that the House 'declined to proceed with any business whatever while his present advisers retained office.' After a lengthy debate, characterised by much warmth, my motion was carried by sixty-eight to sixty-four votes, giving a majority of four against the Ministry. On the following day Mr. Dibbs and his colleagues resigned after a reign of fifty days. But in those fifty days Mr. Dibbs did more violence to the Constitution than any man who had previously held his high office, however long his occupancy of it. It is not any part of my design to disfigure these pages with a catalogue of Mr. Dibbs's political sins; there are two objections—it would be too long, and it would be too unpleasant. But it is part of my design to condemn political abuses, and to exercise whatever power I may possess to guard the country against political crimes in the future. It is marvellous that a man of so kindly a nature as Mr. Dibbs should do the things which he notoriously has done, apparently without the faintest consciousness that they were wrong. It may, perhaps, be accounted for in some measure by the fact that he entered into politics late in life, or it may be accounted for by the oft-repeated explanation of his present col-

league, Mr. Edmond Barton, that he is a 'conundrum.' I shall only dwell briefly upon one of the political outrages of which Mr. Dibbs was guilty during his fifty days. When he had appealed to the electors, and must have known that he was defeated in his appeal, he nominated nine gentlemen to seats in the Legislative Council to join in making laws for the country for the term of their natural life. The enormity of this act will be seen by persons unacquainted with politics, when it is explained that, in a time of crisis when the retention of power is uncertain, Australian Ministries have generally abstained from making any appointment, even to the Civil Service. In April, 1892, Mr. Dibbs indulged himself in making nine other nominations to the Legislative Council. At this time Mr. Dibbs had been three times Prime Minister, but the united lives of his three Ministries only amounted to two hundred days, and in that space of time, little more than half a year, Mr. Dibbs had appointed, adding to these two batches two or more solitary appointments, a full score of life-legislators. But this is the best side of his offence against the Constitution and the people; the worse side has to be stated. These appointments were party appointments of a glaring type; almost all were well-known Protectionists. In the first place the number of appointments in the given time was beyond all reason excessive: in the next place they were all of a partisan colour. It seems but right to take my own case as Prime Minister for an illustration. My tenure of office as Chief Adviser of the Crown has altogether extended over eleven years and nine months; and if I had recommended as large a number relatively to our respective terms of office as Mr. Dibbs, I should have sent at least four hundred gentlemen into the Legislative Council. I next come to political character. I always maintained that Ministers were bound to avoid party appointments, and to consider both sides and all sections, and in point

of fact I have nominated repeatedly to the Legislative Council the bitterest opponents I ever had in political life. I believe all other men who have held the principal office in Government, except only Mr. Dibbs, have acted from considerations similar in their nature to those which weighed with me.

But what must be the pernicious effect of Mr. Dibbs's conduct in respect to the Council? The next Free-trade Ministry, which will come swiftly, would be justified in recommending the appointment of a score of Free-traders merely to neutralise the damage which Mr. Dibbs has done to that House of Parliament. An evil example in performing the functions of State is proportioned in its evil consequences to the stamp of authority impressed upon it. It is easy for the worst of men to outdo Mr. Dibbs in bad conduct; and nobody can foretell who may follow Mr. Dibbs.

But Mr. Dibbs's appointments have doomed the nominee Council to destruction. What argument and eloquence have failed to do, his reckless and ungovernable desire to make all things within his reach subservient to his party ends has done in awakening the apprehensions of all thoughtful men to the dangers of the nominee principle. Mr. Wentworth's misgivings as to the safe operation of the principle, when he limited the trial of it to five years in the first instance by the letter of the Constitution itself, is now more than confirmed by thirty-six years of experience. By step to step in degeneracy the Council has visibly declined before the eyes of all men. Even in a conservative sense it has utterly broken down, and the time seems to be coming when the Lower House, the outcome of manhood suffrage, will be the more dignified and self-respecting Chamber.

In a country like New South Wales, where all men are politically equal, it seems passing strange that the people should have permitted a power to be vested in

the Executive for the time being to appoint legislators for life. It might have been foreseen that, sooner or later, such power would be used by men to gratify their personal preferences or to subserve their party ends. It probably never entered into the wildest dream of Mr. Wentworth, when haunted by his fears of democracy, that a time would ever come when a coarse and vulgar interpretation would be given to the profligate political war-cry, 'the spoils to the victors,' and that every shred of authority would be converted into a flagitious patronage, from the messenger to the member of the Upper House of Parliament.

But the nominee principle has worked inimically to the members whom it has selected as its favoured peers. Withdrawn from all sense of responsibility, under no obligation to consider the feelings or the opinions of the people, the door opened to them by an unseen hand to privileges which they have not won, with little to do and nothing to fear, it is not surprising that they grow stiff-necked. It has worked detrimentally to the public interest in another direction, which perhaps no one foresaw, and for which nobody can be held answerable. Members of the Council grow old like other men, and become physically incapable of performing their duties; but there they are, and there they remain. No one can ask them to resign, and it is very seldom that they think of it themselves. So this vicious principle continually works to impair the collective strength of the Council itself among other depressing and enfeebling consequences. There can be little doubt that the Council will be reconstructed on an elective basis at an early date.

It has lately been announced that the Ministry of New Zealand recommended to Lord Glasgow, within a month of his arrival, a perfect stranger, to appoint fifteen new members to the nominated Council of that colony. The Governor very properly refused. It is

now stated (June 27, 1892) that a former Prime Minister, Sir Robert Stout, has published a letter in the newspapers denouncing Lord Glasgow's conduct and advocating 'a single Chamber, with an elective Governor.' This is sufficient evidence of how impossible it is for some men to learn that calm and unimpassioned view of the affairs of Government which is, perhaps, the noblest feature of statesmanship. The very checks implanted in the constitutional law by the instinct of prudence, and for the purpose of public safety, are to be swept away the moment they are felt to be inconvenient to minds incapable of comprehending the true principles of Government.

On the defeat of Mr. Dibbs I was again commissioned by Lord Carrington to form a new Administration. A number of comparatively young men of much promise had taken their places on the Free-trade side of the House. They had shown zeal, ability, and political firmness in the elections, and, some of them, in the previous Parliament. They could not be, and they ought not to be, overlooked in allotting men to portfolios. In the Government which I succeeded in forming, half the Ministers were entirely new to official life, and those who have had experience in Cabinet-making will know the ominous drift of meaning which that description conveys. It is pardonable in a young man of spirit and ability to imagine that men never lived in the world before his time. In talent, energy, and character the new Government was equal to any that had gone before it. The new Treasurer, Mr. McMillan, was a man possessing good reasoning powers, a clear knowledge of financial business, and a high-toned eloquence; the new Minister of Public Works, Mr. Bruce Smith, besides being a clear and logical speaker, had studied economic questions as a pleasurable pursuit, and was acknowledged to be a man of excellent business capacity; the new Minister of Public Instruc-

tion, Mr. Carruthers, was a young man of untiring energy and remarkable ability, and to him more than to anyone else the Women's College within the University owes its existence. I make this passing reference to the more prominent of the new men to enable me to express my belief, now our official relations are at an end, that they have before them honourable careers of public usefulness.

On April 3 I made a statement to the House explanatory of our proposed course in dealing with public business, from which I quote the following passage :—

We propose to make this Session—and we know we can only do this with the assistance of honourable members ; but we know we have a fair claim to ask that assistance—we propose to make it a short Session for the consideration of the Land Bill of which my honourable friend, the member for East Maitland, has given notice. We intend that Bill—and I can say this without anticipating his explanation of it—to meet the most pressing grievances of the different classes intimately concerned in the occupation of the soil. We believe that in the hands of my honourable colleague, the Secretary for Lands, we shall be able to produce a Bill which will be acceptable to those great classes—I mean the free selectors and the pastoralists, and those classes which lie between those two great bodies, namely, the men who have mixed farms, but carry on other pursuits than the average pursuit of a free selector, and who are introducing an industry into this country the most valuable of all others, that of English yeomen—that of the Australian yeoman I should say, because I want all our feelings, all our aspirations, all our interests identified with the soil of this country, of which I am really as much a native, if not more a native, than the men who were born here forty-five years ago, for I have lived here fifty years, or close upon it. With the assistance of honourable members we intend to limit this Session to the fair, dispassionate, and searching examination of this Bill, and we ask honourable gentlemen sitting on all sides of the House to lend us contributions from the store of their experience to make this Bill as good, as acceptable, and as just to all classes as it is possible to make it. Beyond that we ask the House to go with us in passing into

law a number of small measures for giving effect to the provisions of the Public Works Act.

Mr. J. N. Brunner, the Minister of Lands, moved the second reading of his Land Bill on May 15. Mr. Brunner was a man who, by his personal conduct and general bearing through a long life, had secured the respect and confidence of all classes, and he possessed an extensive practical knowledge of the relation of classes settled on the public estate, and of the working of former Land Acts. He explained and supported his Bill in a well-reasoned speech which was very favourably received. The Bill provided for the correction of certain abuses, amended defects in the legislation of 1884, offered special facilities for the acquisition of larger holdings by what might be termed a class of middlemen on the Western plains, and it created a judicial tribunal for hearing and deciding cases of dispute. The debate on the second reading, though marked by much agreement in opinion, extended over nine nights, when the Bill was read the second time by 68 votes to 3.

The measure was discussed very fully in committee in both Houses, and generally with approval. In due course the Bill received the Royal assent. It made a great change in the law; it did not satisfy everybody, but it was received with widespread opinion in its favour.

The new Treasurer, Mr. McMillan, made his exposition of the public finances on April 10. He estimated the expenditure for the year at 8,913,000*l.*, and the revenue at 8,938,000*l.*, giving him a credit balance on December 31 of 25,000*l.*

During this time I gave much attention, as other demands upon my time would permit, to the defences of the colony. It is a curious circumstance that military matters are seized upon by vapid and idle minds

in all countries as the most fitting subjects for the exercise of their ingenuity in discovering startling abuses and instituting model reforms. The tales of the proverbial 'old soldier,' dark hints from discontented subordinates, eavesdroppings picked up by incontinent gossipmongers in obscure clubs, are palatable food for these devouring minds. New South Wales has its motley sect of military unbelievers who have set up a creed of their own. But in reality the expenditure in this important branch of the public service, though necessarily heavy, has been well directed, and the General commanding and his staff are above reproach, as are in my belief all the officers engaged upon the works of construction, with the exception of fraud in the case of one constructor, and remissness in supervision in connection with that particular work. Blunders and mistakes, and in some instances waste, have occurred, as they would occur in any large undertaking on earth, where heavy expenditure was inevitable, and new experience had to be gained.

From the first enrolment at the time of the Crimean War I had always taken a warm interest in the Volunteer movement. I had formed the opinion in the early years of my political life that the country must depend upon its own resources for its defence. I urged this view in the Legislature and by such means as were at my disposal. One of my early political friends was Sir William Charles Windeyer, one of the present Judges of the Supreme Court. He joined the Volunteers and rose to the rank of captain, when his professional engagements compelled him to retire. We often exchanged ideas in those days on the subject of the defence of the colony, which was attractive to both of us. My friend Windeyer was a young man of high spirit, bold and decisive in the common incidents of life, with a strong capacity for public affairs. He would have made as

good a soldier as he has made a sound Judge. During my first tenure of office I conducted through the Assembly the Volunteer Regulation Act.

When in office in later years I always had too large a burden upon my shoulders, with the incessant duties of First Minister added to the cares of a great Department, to give much time to the technical consideration of questions of defence, but I was in continuous communication with the officers in charge, and at times with Lieutenant-General Sir William Jervois, General Schaw, Lieutenant-General Sir J. Bevan Edwards, and other men of large military knowledge and experience, and when in England I had conversations on the same subject with Lord Wolseley and other distinguished soldiers. I kept in view the chief points of defence as explained and insisted upon by these high authorities, and to a large extent they have been covered by the defence work carried out before I last retired from office. Splendid guns of modern type, which had been warehoused for years, were put in position, and a complete system of submarine mines had been organised. As to the physical character and style of the Australian Volunteer, few persons will rate him below the average of other countries. In a letter addressed to me in August 1889, General Edwards says:—

We had an excellent show on Saturday—3,577 on parade—and I felt it a very special personal compliment that so many should have come, and from such long distances, and at so much inconvenience.

I am very glad they got home dry. You have splendid material, and considering the amount of training they receive, their appearance and steadiness were quite wonderful. While you have such men as these, animated by such patriotic zeal—the independence of Australia is safe—provided they are duly and properly organised, and this they may be without any great additional expense.

In another letter General Edwards—speaking of

another colony, not New South Wales—hits the weak point in our social relations to the Volunteer. Beyond doubt the sympathy of the well-to-do classes might be more in accord with the movement. Any blunder or defect is made the most of by these supercilious critics, and little hearty support is extended to the rank and file of the Service. The General, whose observations in society were keen, says :—

The upper classes hold themselves aloof. The employers of labour also throw obstacles in the way of the men enrolling themselves, and refuse to employ them if they are absent from their work for military duties.

In connection with the defences, I give an interesting letter from the late Earl of Carnarvon which I received from him when he was on the point of leaving Australia in 1888. I had made the acquaintance of Lord Carnarvon many years ago, at the time of the annexation of Fiji, when, in the absence of the Governor, Sir Hercules Robinson, I had occasion to communicate confidentially with him as Secretary of State. Both in England and in Australia we had many conversations, and we frequently corresponded on Australian affairs. While in England in 1882, I gave evidence before the Royal Defence Commission of which Lord Carnarvon was Chairman, and he probably wrote to me with a greater freedom arising from this acquaintance :—

Dear Sir Henry Parkes, — We probably reach King George's Sound to-morrow, and I shall bid my final farewell to Australia; but I cannot go without a few lines on a subject which I have very much at heart, and on which I had hoped to have had some conversation with you, but for the press of business which engrossed your time during the centenary celebrations at Sydney.

You were good enough to give me an opportunity of seeing somewhat of the defences of the harbour, and though my opinion as that of a civilian can necessarily have no technical or

professional value, yet the question of coastal defences is one which for many years in one form or another has been so much in my mind that even at the risk of saying what is familiar to you, I feel bound to give you in a very few words my general impression.

You have in New South Wales already spent so much on defences, and you have, I believe, such excellent 'matériel' in the shape of new guns, though many of them are not yet mounted, that a comparatively small expenditure, and a not very long time, would enable you to place Sydney in a position of reasonable defence; but I doubt if any impartial and competent expert would advise you that you are at present adequately protected. You know as I do the extremely frail tenure on which peace in Europe now rests, and the great probability that in the event of war you in Australia, as we in England, may become involved in hostilities. Should this be the case we must anticipate:—

1. The shortest conceivable time for preparation.
2. The swiftest and most *unsparing attack* on all such wealthy and strategically valuable outposts as the great Australian towns.
3. The absolute inability of the home Government to send you any necessary stores, ammunition, armaments, &c., at all events during the first stages of the war. There will be, I am confident, a run upon our home resources far in excess of the supply.
4. You will probably have to reckon with more powerful guns and more heavily armed cruisers on the part of either Russia or France than would have been the case six or seven years ago when the Defence Commission, of which I was Chairman, made its recommendations.
5. Under such conditions as these the best forts—if made, and the best guns if mounted in them—are insufficient for their purpose, unless there is a reasonable amount of practice for the gunners. The other day in Sydney Harbour the practice at a stationary mark in a familiar position was not good; and it is needless to ask what it would have been in the hurry of an attack with a ship moving—with steam and tide—perhaps 18 knots an hour. Unless to a certain extent the probable incidents

of attack and defence are rehearsed, and unless men are told off, and all the necessary stores, torpedoes, electric lights, and other implements are allotted to their several places, the confusion will be necessarily such that all chance of making a good resistance will be vain. Pray do not allow men in Sydney to trust, as we unfortunately are disposed in England to do, to patriotism and national vigour, and to take insufficient account of the powers of secret and scientific combination, which modern warfare has developed in Europe.

I could say much more on this subject; but I do not like to say less, for after the free communications which have passed between us I should feel it on my conscience if I did not honestly and fairly tell you the impression made on my mind by what I have seen. You will, I know, understand the feeling with which I write, and will weigh what I have said; and I hope you will agree with me, for there is no one whose pronounced opinion could so overbear objects and smooth difficulties on such a subject as this like yours.

There is indeed another question connected with the general subject of defence which has been a good deal discussed in New South Wales and elsewhere, and which deserves, I think, very careful consideration. I mean the expediency of limiting the number of foreign ships of war admitted to your waters, and of allotting to them some position where their movements may be in some degree controlled by your guns and torpedo boats. It is a difficult question from many points of view, but I am clear it is one of very great importance, and far more easily settled in a time of peace than when diplomatic relations are strained by the apprehensions of war.

Believe me, dear Sir Henry,
Yours very faithfully,
CARNARVON.

‘Shannon,’ February 16, 1888.

As I have said, many of the grounds of complaint, such as ‘guns unmounted,’ have since been removed, and the forces at the present time are in a state highly creditable to the colony.

About the same time that I received Lord Carnarvon’s letter I received a letter from Sir William Jervois much

to the same purport, and the colony is indebted to Sir William for his painstaking labours, extending over a long period, to improve and perfect our system of defence.

On January 19, 1891, according to a return presented to Parliament, the following was the strength of the military forces:—

General Staff of the Defence Force	28
Artillery Staff	2
Permanent Staff	11
Paymaster's Staff	6
Permanent Staff in connection with Reserves	13
Commanding Engineer's Department	7
Permanent Medical Corps	15
Volunteer Medical Corps	91
Permanent Artillery	556
Permanent Submarine Miners	23
Volunteer Submarine Miners	115
Engineer Corps	119
Volunteer Artillery Corps	527
Cavalry Corps	413
Mounted Infantry	300
Infantry	2,699
Commissariat and Transport Corps	39
Ordnance Department	12
	4,976

In addition to the above the colony possesses a valuable force known as the Naval Brigade, mostly well-seasoned men, and numbering 334 all told. If a time of public danger should come, New South Wales could easily put into the field an army of ten thousand men.

CHAPTER XXIV

OPENING OF PARLIAMENT, APRIL 29, 1890—THE FEDERATION CONVENTION—MY ACCIDENT OF MAY 18—WIDESPREAD SYMPATHY—LORD CARRINGTON—HIS HIGH QUALITIES—MR. DIBBS AND THE OPPOSITION—THE GREAT STRIKE AND ITS DIFFICULTIES—SPECIAL CONSTABLES—DECISION OF THE GOVERNMENT NOT TO INTRODUCE CONTENTIOUS BUSINESS IN PARLIAMENT DURING THE STRIKE TROUBLES—ROYAL COMMISSION ON INDUSTRIAL DISPUTES.

PARLIAMENT opened for the Session of 1890 on April 29. The second paragraph of the opening Speech said: 'During the recess accredited representatives of the Australasian colonies assembled in conference to consider the expediency of holding, under the authority of the several Parliaments, a convention to originate the great work of Australian federation; and the conference unanimously resolved that the time has arrived for the union of these colonies under one Legislative and Executive Government, and that the members of the conference should take such steps as may be necessary to induce the Legislatures of their respective colonies to appoint delegates to a National Australasian Convention, empowered to consider and report upon an adequate scheme for a federal constitution. Both Houses of Parliament will be invited to take the necessary steps to give effect to the decisions of the conference; and I feel assured that the prayers of the people of the parent colony will follow the endeavours of the concordant Governments to bring the whole of Australia into one enduring bond of national existence.'

A number of important measures were announced, including several much-needed new lines of railway, and a new Electoral Bill; and the Assembly steadily proceeded with business largely in charge of the Minister at the head of the Public Works Department. Outside Parliament, matters of serious public concern

were engaging attention, among others a devastating flood in the far Western interior, which did great damage to the town of Bourke. My hands, as usual, were full. But my health was fairly good, and I never shrank from labour.

On May 7 I moved that the House concur in the resolutions adopted by the Melbourne conference on February 13, in substance as follows:—

- (1) That the Australian colonies agree to unite in the constitution of a Federal Government.
- (2) That the remoter Australasian colonies be admitted into such union at such times and on such conditions as might hereafter be agreed upon.
- (3) That the members of the conference take the necessary steps for the appointment of members to a National Australasian Convention for the purpose of framing a constitution.

And my motion proposed four members of the House for election to the convention. My speech in support of this motion was received with much approbation, and my motion, when the division took place in my absence some weeks later, was carried by the overwhelming majority of ninety-seven votes against eleven.

The names submitted by my resolution were those of Mr. McMillan and myself on the Government side, and of the present Speaker, Sir Joseph P. Abbott, and Mr. J. P. Garvan on the Opposition side. I did not nominate Mr. Dibbs for the plain reason that Mr. Dibbs had recently declared himself in the broadest terms hostile, while Mr. Garvan, whom Mr. Dibbs himself, when forming his last Ministry, had chosen as his Treasurer, was a consistent and earnest friend of federation. It never occurred to me that Mr. Dibbs would or could consent to sit in a convention to promote the

union of the colonies when he had lately declared in public that it 'would take a good deal more time than fifty-seven years for the Australian colonies to be bound together in union.' A ballot was, however, called for, and Mr. Dibbs was elected by the lowest number of successful votes, in place of his friend Mr. Garvan.

On May 18 I met with a severe accident, which, in grateful acknowledgment of the generous outburst of sympathy it called forth, and on account of the depressing influence it has had upon my whole life since, must be noticed with some particulars. The following note contains the substance of paragraphs in the public papers :—

On the afternoon of Sunday, May 18, 1890, Sir Henry Parkes, accompanied by Lady Parkes, left Hampton Villa, Balmain, a little before 3 o'clock P.M., and crossed by the ferry to Erskine Street, Sydney, with the object of paying a visit in the city. At the foot of Erskine Street they engaged a cab, in which they drove up to Wynyard Square, thence along York Street into Margaret Street. On turning the corner into Margaret Street the horse shied at some object and dashed down the hill at a gallop; in a few moments he crossed the street obliquely and upset the cab with a crash on the pavement, nearly opposite Pfahlert's Hotel, apparently getting stunned by the fall. Lady Parkes extricated herself from the shattered cab with no more serious injury than a few bruises. Sir Henry, on trying to rise, found himself unable to stand on his right foot; on trying a second time the foot hung loosely by the skin and flesh. Some persons in the crowd offered assistance. 'Lean on us,' they cried, to which he replied, 'I cannot lean on you, for my leg is broken.' Two gentlemen then offered to carry him to another cab, which they did. He at first asked them to drive to the Hospital, but, correcting himself immediately, requested to be driven to Dr. Maurice O'Connor's, in College Street. Dr. O'Connor was not at home, and Sir Henry, with Lady Parkes, was then driven by way of Pyrmont to his residence at Balmain. Dr. O'Connor arrived about an hour afterwards, when it was ascertained that the injury consisted of a comminuted fracture of the tibia and simple fracture of the fibula of the right leg. The broken bones

were set about three hours after the accident, and, under the skilful treatment of Dr. O'Connor, the progress towards recovery continued steady from the first.

Addresses of sympathy from public bodies, and letters and messages of like import from all the Australasian Governors, and from leading men throughout the colonies, and in England and other countries, including the Secretary of State, were received by Sir Henry Parkes, with a large number of letters from ladies and gentlemen in private life.

When Parliament met on the 20th, as soon as the Speaker took the chair in the Assembly, the House was informed of the accident by my colleague, Mr. Bruce Smith. I copy from the official debates the speeches delivered on the occasion :—

MR. BRUCE SMITH: I regret to have to announce to the House, what they have already learnt through the press, that a very serious accident happened to the Premier on Sunday evening, when he was thrown from a cab, which resulted in his leg being broken. It is highly probable, as the accident is a very serious one, that the Premier will be prevented from attending the House for some weeks. I saw the Premier last night, and he desired me, in the first place, to express to the House his very great regret that he should be prevented from fulfilling his many official obligations to the House and the country. He also desired to express his very sincere appreciation of the very many kind messages and expressions of sympathy which have come from both sides of the House. Honourable members will be glad to know, from the very last report, the Premier having been seen by the Principal Under-Secretary this afternoon, that although he suffered considerable pain, and had not a particularly good night, he seemed very cheerful under the circumstances. I believe he is himself very sanguine that he will be able to come to the House again in four or five weeks.

MR. DIBBS: I desire to say a few words with regard to the future Government business, and to take the earliest possible opportunity of expressing on behalf of myself as leader, and on behalf of honourable members on this side of the House, the extreme pain and regret with which we heard of the serious accident which has happened to the Premier. There is no doubt that I am as strong an opponent of the Premier as any man in

this country is, and I feel as strongly with regard to many of his views as any man can feel; but an accident of the painful character which has overtaken him is an occurrence which touches the finest feelings of human nature; and I am capable of sympathising with the Premier as much as any man in this country can be. All the honourable members on this side of the House with whom I have conversed have expressed the deepest sympathy with him in his misfortune, and we hope that the assurance which has been given to us that the Premier will be able to return to the Assembly at an early date will be realised. While we may differ with the Premier, we sympathise with him in his misfortune, which at his time of life is no doubt a very great and serious calamity. I am sure it will be gratifying to the Premier to know that he has the sympathy of the whole House in his misfortune. While availing myself of the first opportunity of expressing the feelings of honourable members on this side of the House, I wish also to make a suggestion to the Government with regard to the very important business of which the Premier is the mover—I refer to the federation resolutions which are now before the House. I think it will be only showing to the Premier the respect due to his position, and to the great interest he has taken in the question, if we postpone the debate on those resolutions. I hope that the Government will see their way to postpone the further consideration of the question until the Premier returns, so that he may have an opportunity of replying to the various speeches which will be made on the subject. I say this with all sincerity. The question is now fairly launched before the House and the country; it is one of the most important subjects ever submitted to this Chamber; it is a question which will be fully discussed; and we are only anxious that the discussion should end in what is best for the whole country. In justice, therefore, to the Premier in his position, and with due sympathy for the calamity which has befallen him, I would suggest—without in any possible way dictating to the Government as to the order of their business, that we might, if they think it desirable out of respect to the Premier, adjourn the further consideration of the debate until he has an opportunity of being present again. The public business need not suffer; there is ample other business foreshadowed in the Governor's speech, notably certain measures of great public importance—I allude to the public works proposals. Those matters may be dealt with, and other Government measures

may be introduced, and the House so be kept in full work. It must always be remembered that whatever our private sympathies may be, we are here to represent the country. These public works are of very great importance, and the time might be usefully employed in their discussion. The Government will receive from this side of the House the utmost possible generous treatment, always having regard to what is due to the country, in consideration of the great calamity which has befallen the Premier.

Mr. GARRETT: I hope the Government will not accept the suggestion thrown out by the honourable member. We have entered on a debate upon a very important question in which the Premier has taken his part, so far as he has initiated it. If that debate is interrupted all that has gone before will be practically thrown away. It can be continued in the Premier's absence as well as in his presence.

Mr. BRUCE SMITH: Perhaps I may be allowed to say one or two words. I should like to assure the honourable member first of all, that I and my colleagues fully appreciate the kindly feeling which prompts him to make the suggestion; but regarding the federation question I can only say that if the desire of the Premier is to be consulted, I am quite sure, from my conversation with him last night, that he has every desire that this debate should proceed. If it should go beyond this week, then inasmuch as the Premier has the right of reply, and subsequent speeches may render it necessary that that reply should be delivered, then I should be very happy to consult him, and indicate to the House his wishes on the question; because I apprehend from the very kind speech of the leader of the Opposition that his only desire is to show regard for the Premier in this matter.

Mr. DIBBS: Hear, hear.

Mr. BRUCE SMITH: It will be time enough at the end of the week to intimate what the general desire of the Government is regarding the continuance of the debate until next week.

Though my residence is inconveniently situated for visitors from Sydney, being only accessible by ferry or a long, out-of-the-way drive, it was thronged for several days by callers with kind enquiries and messages of sympathy. Among the public manifestations of sym-

pathy were addresses from the Mayor and Aldermen of Sydney, from the Chamber of Commerce, from the Senate of the University, from professional bodies, from working-men's associations, from municipal councils in all parts of the colony, and from many other societies. Among the messages from across the sea, Lord Knutsford, reading the telegrams in the London papers, wrote the morning after the accident; my old friend Sir Charles Gavan Duffy, seeking health in Switzerland, wrote from Lucerne; Sir Henry Loch from South Africa; and others from different parts of Europe and America.

But to one man, above all others, I owe a life-long debt of gratitude for his unsleeping sympathy and affectionate solicitude, which continued all the dreary time I was confined to my bed. Lord Carrington, during his stay in New South Wales, endeared himself to all classes by his frank participation in all that concerned their welfare, by his simple and unaffected manliness under all circumstances, his noble attachment to our free institutions, and his genuine love of the country and its people. To me he was more than gentle and courteous at all times, and throughout the trying illness which followed my accident no words of mine could describe his goodness. My home is fully three miles from Government House by the shortest road, but every morning brought a mounted orderly to my door with a bright and hopeful letter from the Governor, and often with some delicacy which others never thought of. His Excellency had occasion to visit Victoria and Tasmania during this time, and he no sooner reached Melbourne, or Launceston, or Hobart, than a telegram came to me of the same solicitous and consoling character. The gracious lady who shared Lord Carrington's viceregal duties in Australia was equally considerate of me in my heavy affliction.

It is a pleasure to acknowledge the kind considera-

tion I received from Mr. Dibbs and other gentlemen opposed to me in Parliament. The acrimony and bitterness which marked our unfriendly relations disappeared for a time.

I was within a few days of seventy-five years of age when this accident occurred, and I have never recovered the buoyancy of life which I had enjoyed up to the unfortunate hour of its occurrence. I still feel it as equal to the weight of many years. I know I ought to be thankful for many things—for the skill and diligent attentions of the able medical man into whose hands I fell, for the strong constitution which enabled me to beat off peril, for the tender nursing hands that never wearied of my infirmities; but it seems hard to be doomed to consider one's steps at every turn, and never more to revel in the freedom of the eagle. It cannot be long; it may be measured by the life of a little child, one, two, three, or seven years at the most. God's will be done.

My enforced absence from my place in Parliament, and from my chair in the great Department under my Ministerial control, produced effects not seen by on-lookers, and not measurable by ordinary processes of calculation. If it had been possible, it would have been better for me to have retired into private life. A new difficulty was now before the Government.

The year 1890 proved a year, not only of disaster to myself, but of unparalleled trouble to the colony. A great strike of the workers in all branches of trade took place in Sydney, extending itself to other parts of the colony, especially among the shearers in the interior. It shook the whole fabric of commercial industry, paralysing some trades and destroying others. The sum of affliction and misery to the workers themselves must have been heavy beyond calculation. In the homes of the working class, little hoards of thrift squandered, women and children reduced to destitu-

tion, the bread-winner placed under a ban, told a woe-ful tale which is still ringing in the ears of many a solitary sufferer. Petty conflicts disturbed the streets, workmen were maltreated to force them to desert their employment, drivers of drays were torn from their charge, and intimidation put on a bold and savage front. There is no tyranny like that of the many-headed monster with the million hands. Away from the homes of the workers, the palatial mail steamers alongside the wharves had to resort to novel means to get to sea; great warehouses had to work all night with emergency hands to prevent a dead-lock in business, and in many places work had to be carried on under a guard of armed men. Everything for a time was out of joint.

I had some advantages in dealing with this trouble. I had had more experience than any other Minister, or any other person in the community, in administering affairs at similar times of popular excitement. Having been at that time the Minister in charge of the military and the police, at different periods for ten years, I knew intimately the character, even to shades of capacity, of the officers at the head of these forces; and I had more knowledge than anyone else, directly and indirectly, of the leaders of the excited masses. This I could not expect others to know or to learn. Probably there is nothing in human conduct which men are slower to learn than the teachings of experience in the lives of others older than themselves. We see this eminently in the lives of great soldiers; there is always some epauletted shoulder ready to shrug itself at the mere idea of their superiority. I was still suffering severely from my broken leg, which interfered with my physical activity; I could only get about in a carriage. But I had from the day following my accident performed the routine duties of my Department by the Under-Secretary bringing to my bedside a box of

papers every day, and sometimes twice a day; and the General commanding the military and the head of the police frequently saw me, and could communicate with me by telephone in a branch office close at hand. I was not surprised because so many persons in severe difficulties had volunteered to teach me my duties, but I was deeply pained when one of my young colleagues proposed to me, apparently after consultation with other Ministers, to authorise him to communicate with the heads of the military and the police in any emergency. I simply replied that there was no occasion for any such step, and that I intended to keep the control of both services in my own hands. But the incident led to much unpleasantness, involving explanations to Parliament.

I must express my view here, not formed hurriedly, that it is a bad augury for the effective Ministerial action of any Government in the self-governing provinces of the Empire when two or more Ministers consult on serious matters behind the back of their chief. It is sure to reach their leader's knowledge, directly or indirectly, often in distorted form; mutual confidence begins to be shaken; hints, dropped from motives of caution or mischief, and silent surmises, fan the small flames of jealousy or discontent, and open rupture comes. Men should seriously consider before they join a Government where leadership is a paramount condition, whether they can accept the proffered place; but having accepted it, and while they remain, there is no escape from the bond of loyalty except with dishonour.

In dealing with the strike troubles, I scrupulously adhered to the rule of careful consideration, absence of demonstrative threatening, quiet and continuous observation, and uniform civility; while I took pains to let it be silently seen that there was a reserved power to act, and quite prepared to act, if occasion should arise, for the defence of society and the maintenance of law.

having been refused by one section of the working population, there is arrayed against the laws of the country and against the Government another section of the working population to prevent coal being obtained by any means. I do not exaggerate—my words are not used for the sake of exciting passion—when I say that that state of things is little short of a revolution. Somebody must be master, and the Government of the country must be master. Sympathising as I do with the great bulk of my fellow-men in the honest and earnest desire to see their condition improved, I know that in this movement the only sufferers are the poor working-men themselves, their unhappy wives, and their still more unhappy children. Instances have come to my own knowledge of children almost perishing already for want of food. Well, in this state of things the Government has imposed upon it—not the men who sit on these benches, but whoever may form the Government, and the Government I apprehend, consists as much of the Houses of Parliament as of the Ministerial officers—the Government of the country has imposed upon it the maintenance of law and the protection of personal liberty, let the cost be what it may. I bring the matter now in this way before the House, after counselling the Government, as I have done, to the most moderate steps, counselling them to forbear from taking any step that would have the appearance of one-sidedness in this unfortunate struggle. Having done all that, I now appeal to this House to support the Government in doing whatever may be necessary to support the law and to maintain order. I have now to pass from this very grave matter, which I feel to be of most painful weight, and which I am sure my colleagues must equally feel of painful weight. I pass on now to communicate to the House that the Government has decided not to enter into any contest whatever so long as our hands are so full. The Government is composed of men who have announced to the electors that they are advocates of certain principles of fiscal policy. They stated the same thing to the House, and it is their duty, beyond all question, to adhere to those principles, and to endeavour to implant them in the policy of the country as soon as they possibly can. But they are not to attempt anything of that kind when an enemy is at our doors, or what is a thousand times worse, when we have an enemy in our midst. Nor can any harm result to anybody if what is aimed at is a righteous and sober settlement of the question. No one can want to have it settled now, especially

when it can be settled within a very short time at the furthest. We cannot remain the Government except by constitutional support. We at the present time are the proper persons to declare what course we will take. We, and not persons who would relieve us of our responsibilities, are the persons to say whether we, in this state of things, will incur further disturbance, or whether we will not. It is for Parliament to say whether we are right or wrong. If we do not declare what is right, there is a power residing in Parliament to declare that we are wrong, and to punish us. We, at all events, feeling that our hands are full, feeling that every sense of patriotism, every desire to promote the true and solid interests of the country, counsel us from plunging into new difficulties at this particular time—we say that we will not do it.

Mr. COPELAND: You are political blacklegs!

Sir HENRY PARKES: All the abuse of the honourable member for New England will not affect me. I am stating in words—perhaps in impassioned words, because I feel that the occasion is one for resolute words, but still in calm words, words free from bias—I am stating what our position is, and what we have decided not to do. We believe that that is in the interests of the country; we believe that the people of the country will support us in that course. We say that we will not incur the grave responsibility of increasing the disturbance of the country until this strike is at an end. And we say that we will do our utmost in the meantime, if permitted, to bring that to a conclusion as early as possible; and when that is concluded, we shall be quite ready to go into any conflict such as gentlemen opposite seem to want above everything else. My object, however, was to state the grave sense we entertain of the present state of the country, and at the same time to intimate that while we are the Government we expect the support of Parliament, and at the same time to declare that we will not incur the responsibility of new public troubles for the mere sake of preserving an idle consistency.

One decision arrived at by the Government, as a consequence of this great disturbance to the relations between capital and labour, was to appoint a Royal Commission to investigate and report upon the causes of such conflicts, and to consider measures devised in

other countries by the constitution of Boards of Conciliation or other similar bodies, to obviate extreme steps in trade disputes. The Commission consisted of seventeen well-known persons, of whom six belonged to the capitalist class, nine to the workers, and two—men of much information and large experience—could not be said to belong to either. The Commission held fifty-one meetings, and examined fifty-five witnesses. The following significant passage occurs in the opening of their report :—

Many investors are timid about embarking their savings in any industrial pursuit, which can at any time be brought to a stop by a strike or lock-out ; and if this uncertainty could be removed there would in all probability be a great development of industry. The resources of the colony, it is admitted, are at present but very imperfectly developed, and the openings for industry are many and promising. But the spirit of enterprise is considerably damped by the unwillingness of many to set up at their individual risk establishments employing a considerable number of workmen, and who consequently prefer to be idle shareholders in joint-stock companies or to accept a small interest on fixed deposits at the banks rather than run the risk of losing their capital in a venture that may be ruined by strikes. The timidity that exists may be in excess of what the facts of the case justify, but savings are principally made by cautious and prudent people, and they as a class seem to be much affected by the danger to them of quarrels which they can neither prevent nor control, and which sometimes they cannot even understand.

The report then proceeds to state the existing case thus comprehensively :—

The federation of labour and the counter-federation of employers are the characteristic features of the labour question in the present epoch. A few years ago each Union was an independent organisation, though the sympathy between different trades was strong, and showed itself repeatedly in the form of subscriptions to assist other trades when their members were on strike or were locked out. But now the union of men in a trade

has developed into a union of different trades together, and practical sympathy has taken the form of aiding a strike by striking also. This, of course, has the effect of increasing the area of contest, and of dragging into it persons not originally involved. It is obvious that there is no limit to this extension of any strike, except the limit of the labour organisations themselves, and what the colony has already experienced in the way of suspension of industry is only a fraction of what it might possibly experience if a more general strike took place. The difficulty in any one trade may become a cause of quarrel in many trades, and employers and workmen in no degree connected with the point at issue, and otherwise working harmoniously, may be forced into hostility. The effect of this organisation of labour has already been to draw employers together, and, though their organisations have not at present the mature experience or the proved loyalty of the labour organisations, and although, from the nature of the case, it is more difficult for employers to come together and to hold together than it is for workmen to do so, still the sense of danger is now so keenly felt that jealousies and rivalries are being overpowered by fear of loss. The industrial community is thus being organised into two vast camps, jealous and suspicious of each other, and preparing for a possible conflict, which, in a few months, may destroy the savings of many years. The extent to which this organisation of employers and employed has now attained gives the whole question its present public and even its national importance.

It then gives a summary of the evidence as to the origin of disputes :—

It is frankly admitted that a great many disputes originate in ignorance, in mutual misunderstanding, in unfounded suspicions, in exaggerated alarms, and that very much is gained if all these disturbing accessories can be got rid of, and the controversy can be narrowed to its simple issue. No better method of dispersing the mists that surround a controversy of the sort under our consideration can be found than a friendly conference.

The report suggests a Board of Conciliation, and states that the great weight of testimony goes distinctly to show that the existence of such a body with authority

from the State would have a wholesome and moderating effect. But though the majority of disputes would be settled by a body of this kind, there would 'survive an irreducible residuum.' Where conciliation fails, arbitration is to begin.

The report deals at considerable length with the different modes of constituting such bodies, enters into much historical research on the subject, and makes a distinct recommendation in favour of Tribunals of Conciliation and Arbitration.

The President of the Commission was Dr. Andrew Garran, to whom, for his care, patient labour, and ability in conducting this enquiry, the colony is much indebted.

CHAPTER XXV

THE HOLLOWNESS OF DEMOCRATIC PROFESSIONS—ABSENCE OF SETTLED OPINIONS IN WELL-TO-DO MEN—TYRANNICAL ACTIONS IN THE NAME OF LIBERTY—AUSTRALIAN TORIES—LITTLE EFFECT OF THE UNIVERSITIES ON POLITICAL LIFE—ELECTORAL REFORM—THE BILL OF 1891—IMMENSE MAJORITY ON SECOND READING—REGULATION OF COAL MINES—EIGHT HOURS FOR A WORKING DAY—THE LABOUR PARTY IN PARLIAMENT—MY LAST SPEECHES AS MINISTER, MY LAST MEASURES, AND MY LAST DEFEAT—MR. DIBBS SENT FOR—INACTIVITY—NEW OBSTACLE TO FEDERATION—SIR SAMUEL GRIFFITH'S POLYNESIAN LABOUR POLICY—THE VIEWS OF SIR THOMAS M'ILWRAITH—PROPOSED CONFERENCE—MY OWN VIEWS.

THE things done and the words spoken in the name of Democracy in the fair lands of Australia which have the repellent features and the harsh tone of oppression, must be familiar to all thoughtful observers. It would almost seem that when many men talk loudly of freedom, their meaning is the freedom to trample upon the rights of their fellow-men. I have heard a self-styled democrat—a very builder of the democratic arch—declare in his place in Parliament, that if the Free-traders attempted to hold a meeting, even with

locked doors, the Protectionists would burst the doors open. There was no occasion for this violence of speech, and the Free-traders were in no danger of losing their right of open discussion; but the tyrannical desire to trample down all obstacles, including reason itself, was there, and it was bound to find expression. Going into a very different circle you will find men carefully dressed and sumptuously fed, who are very much disposed to take a short cut to the object they wish to reach without reference to the feelings, or the reasonable wishes, or even the lawful privileges of their fellows. Going among another class—almost the opposite—you will see men savagely assail their fellows because they honestly strive in their own way, as free men, to earn the means of subsistence for their families. These propensities would hardly be worth notice, so long as human nature remains what it is, except that they manifest themselves in aggravated form where the pratings about Democracy are most offensively obtrusive. In the Legislature a restrictive ruling is splendid if it stops the right man; in the Electorate, a majority is majestic so long as it is on the right side. A little examination of one boisterous character will discover that all his wild notions of liberty spring from a laudable desire to make all men wear the same class of half-dumpling hats and to an enlightened repugnance to what he euphoniously terms a ‘bell-topper.’ And I once heard a grey-bearded Irishman defend his ill-usage of a boy on the ground that all his life long in Ireland he had been oppressed, and that his time was now come to oppress somebody else. If not, what was the good of a free country to him?

Let it not be supposed that Australia cannot supply the true species of Toryism, if Toryism means resistance to reform and pertinacious retention of class interests. It is hardly to be expected that where the doctrine is held of restrictive interference and coercion

in supplying the wants of the human family, the kindred affiliations of tyranny will not be found in close proximity. Protection is the foster-parent of all other arbitrary devices and methods in Government, it matters not in which hemisphere or under what skies the pestilential plant takes root. The difference is that the English Tory is, as a rule, an educated man who honestly believes that he knows what is good for the people better than the people know themselves, and who openly professes what he believes; while the Australian Tory, with no claim, as a rule, to education or any other elevating quality, seeks to carry out his own will in public affairs, and to shelter himself under the cloak of Democracy.

In a country like New South Wales or Victoria, there is no class politically superior to another. Neither birth nor family influence has any recognised place. I fear it must be admitted that even education has not the weight which it ought to carry with it into the councils of the country. We hope for better things from the young men who are passing through the higher courses of academic instruction under all the patriotic influences which endear to them their native soil. But so far the Australian universities have done but little to purify the tone and elevate the standard of Parliamentary life. The leaders in the several Legislatures have mostly been men of a different training, who have been chiefly indebted for their advancement to their own native energy and intelligence. But the political sentiments engendered, and the views of government formed, have not always been coloured by ultra-liberalism, and would recall to the mind of the student some of the utterances in the old House of Commons during the stormy resistance to the first Reform Bill. I might give many examples, but I will confine myself to the latest. Three of the Ministers now holding office in New South Wales (June 1892) took part in the debate

on the second reading of the Bill for the redistribution of seats in the Parliamentary representation in September and October 1891. The scheme of the Bill was to divide the colony into single electorates, containing equal numbers of electors, and it was argued that this division was necessary to give effect to the principle of 'one man one vote.'

Mr. Copeland, now the Lands Minister, said :—

The principle I strongly object to in the Bill is the principle of equal representation. I do not care for Gladstone, or for 50,000 Gladstones. No man would ever make me believe it is just in a thinly scattered population like ours to have representation in proportion to the numbers. It is impossible for the people in the inland districts to have the same political power as a given number of persons say in any Sydney electorate or any suburban electorate can have.

It need hardly be pointed out that in a new country, much more than in an old, long-settled country, intelligence, and the means of intelligence, as well as wealth, and all the higher social interests, must necessarily be greater in the city than in the interior. Mr. Copeland, who claims to be a pure democrat, proceeded to give emphasis to his views in the following language :—

I say, without hesitation, that if the three Sydney electorates did not return one member to this Chamber, Sydney would be better represented than any other portion of New South Wales. With a full sense of responsibility, having represented East Sydney in two Parliaments, I say that if East, West, or South Sydney did not send a member, those electorates could by no possibility suffer by not being directly represented here, bearing in mind, of course, that every man, once he finds his way here, is a member for the whole colony, and not merely a member for the electorate which returned him.

Mr. Lyne, now the Public Works Minister, said :—

One great objection I have to this Bill is that the distribution of seats is to be on the basis of absolute equality of representation.

And again :—

It is a fact that, as so many members of Parliament reside in the metropolitan electorates, and take an interest in their public affairs, those constituencies possess an advantage in that respect over constituencies situated at a distance from the seat of Government.

Mr. Dibbs, the present Prime Minister, said :—

I am one of those who have been of opinion for many years past that the country is insufficiently represented in the House, and that the city and suburbs are too largely represented. If we reduce the number of members from 136 to 100, we can effect a reduction of members in connection with the city and suburbs, with their great population over small areas. Let a reduction take place in the number of representatives—42—for the county of Cumberland. That, I think, is an undue representation. I approve of the principle of one member for 2,000 electors in the country districts, and I am strongly of opinion that one member for every 4,000 electors in the city and suburbs is sufficient.

I am not concerned just now with the soundness or unsoundness of this doctrine on Parliamentary representation, and I freely admit it is in perfect harmony with the policy of Protection. But it must be admitted also that they both belong to the Ante-Reform era, and the gentlemen who hold these opinions ought to feel a pride in being classed with Sir Charles Wetherell and his band of Anti-Reformers of sixty years ago.

This Electoral Seats Distribution Bill was the last measure introduced by me as Minister. In my reply I spoke as follows :—

I shall, in replying, first make some reference to the views expressed by honourable members who have given their cordial assent to the Bill, and I shall commence with the honourable member for Mudgee, Mr. Jones, who based his complaint upon the circumstance that, in the reapportionment of the constituencies, the various interests of the country had not been kept together. I scarcely need remind honourable mem-

bers that it would be simply impossible to keep these interests by themselves. For example, suppose there is an agricultural district having a mining population to the east of it, and a similar population to the west of it, how is it possible to link these mining communities together in one electorate? It will be seen that it is simply impossible, under any circumstances, to collect and keep these interests together, even if it were wise to do so. But men who have thought on the question of settling the representation of the people in a free country have, almost without exception, argued that it is a merit in framing a constituency to comprise within it different interests, so that one shall react upon another, and that it would be an evil to have one body, say the coal-miners, represented by themselves, and the farmers, say, by themselves. That has been the view of the thoughtful men who, in times past, on different occasions, have endeavoured to think out the true theory of representation, so that what the honourable member regards as a disadvantage, I venture to think is a decided advantage. If we are to carry out the principle, one man one vote—or, as I should prefer to term it, the equality of voting amongst the population, what in the world have we to do with interests, mining, or agricultural, or any other? We, according to the principle which honourable members have themselves laid down, have only to deal with men. I listened with much attention, and with much interest, to the speech delivered by the honourable member for Argyle, Mr. Rose. I think it was a very clever speech, and one deserving consideration and examination, but the less examination it has the better it will be for the speaker. The honourable member laid down this strange doctrine—that Parliament, the very name of which signifies that it is a place where men parley, was a place where speaking ought not to be indulged in; and he went further and stated—a doctrine which I am quite sure is not the birth of any true feeling of Democracy—that we who come here are simply instruments to carry out what the electors who have sent us here have already decided. According to the honourable member it is a delusion to suppose that any of the honourable gentlemen who have come here since the last election may rise, as men in all ages of the world have risen, by a wise exercise of their faculties and a brilliant exposition of their principles in speech, to the position of lawgivers or statesmen. All that business is done for them by the electors.

Mr. ROSE: Hear, hear!

Sir HENRY PARKES: I am glad to hear that I am not misrepresenting this novel and strikingly luminous doctrine, that we are only here as so many leaden pipes—and we should be very leaden pipes indeed if we contented ourselves with that function—to carry out what some other men have designed, or in other words that the laws of the country are made by the electorate, and that that electorate sends delegates here who have to give effect to what it has decided. I do not believe that any of the new schools of thought in this young country have many disciples who would accept this new doctrine. I do believe that of all the multitudinous schools that have arisen lately, the Rose school, even if you call it by any other name, would not be the sweetest. I was surprised at the honourable and venerable gentleman who leads the Opposition. Not only the experience derived from his occupancy of my office, but that teaching which ought to accompany length of years, should have taught him differently. The honourable member's idea of the great principle of reform is to reduce the number of members to 100. Why not reduce the number to ninety or eighty? I should like to know where he would begin if he held the office I hold. He would think twice before he would reduce it by one.

Mr. DIBBS: If the honourable member wants to know where I would begin I will tell him. I would pension off the honourable member!

Sir HENRY PARKES: I do not think that would be a wise thing. In the first place I am not worth being pensioned off, in the next place the honourable member would set a very evil example in this democratic age when we are going to sweep all pensions away, in the third place he would not make one single foot in advance if I were removed from watching over him, so that it would be a three-fold blunder to pension me off, and it would be quite unnecessary. However, his great reform is to reduce the number of members to 100. You might reduce the number to 100, but so long as the honourable member for Grafton and ten or eleven more were here there would be as much talk as ever.

AN HONOURABLE MEMBER: Especially the honourable member for Argyle (Mr. Rose)!

Sir HENRY PARKES: Well, I do not complain of the honourable member for Argyle, because he does not speak very often,

and if he does not always say something wise, he invariably says something very curious. But if you want to save talk, and will allow me to reduce the number by twelve, I will save all the talk, because the over-talk in this House is confined to about twelve members, and unless in your reduction you take care to exclude them, there would be more talk than ever, with less chance of its being circumvented by sound sense. It is an entire mistake to suppose that numbers necessarily lead to floods of talk. That is abundantly proved both by the great pattern of all representative assemblies, the House of Commons, and by that illustrious body, the Senate of the United States. The talk there is not in proportion to the numbers. In the House of Commons there are nearly 700 members, and on a great occasion the speaking is done sometimes by eight or ten members, and in that Parliament there are hundreds of members with gifted powers of speech, of high qualifications from the universities, but they know that it is necessary, in order to the despatch of business, not to take up time in saying what others have said. There is a refutation at once—the completest that could be given to the assertion that mere numbers create this terrible inundation of wishy-washy, thoughtless talk. The honourable member for The Murrumbidgee, catching, I suppose, the infection from the honourable member for New England, spoke about the city and suburbs being over-represented, and the country districts under-represented. Well, this is no new doctrine; but it is very welcome to me, as it affords overwhelming evidence that we have in this Assembly a genuine old Tory party, and it is represented, by confession, by the honourable member for New England, Mr. Copeland, the honourable member for The Murrumbidgee, Mr. Dibbs, and the honourable member for The Hume, Mr. Lyne. In the opposition to the first Reform Bill, it was held that the great towns of Birmingham, Manchester, and Liverpool, which at that time had no single member in the House of Commons, did not want members, that they were represented by the other members living in the neighbourhood of Westminster Hall, that they were represented by their means of easy communication. And just the very doctrines, and in the very same words, which were thundered against the Reform Bill by the old boroughmongers, are reproduced here against this Bill of mine. Coming back to the time in this House, before we had a Constitution, when sheep and cattle alone were represented in the old Council

which made the laws of the country—I have sat in the gallery myself and heard the members in those days bringing forward exactly these arguments, in exactly this language: that Sydney did not deserve any members; it was sufficiently represented by other members living in its midst; it was sufficiently represented by its power of organisation; it was sufficiently represented if it had no member at all. That is the doctrine which is promulgated now by the leaders of Her Majesty's Opposition; and they have proved out of their own mouths that they, talking of Democracy, are really in their hearts and in their souls as big Tories as ever sat in the old boroughmongering days of England, or as ever sat in the old Council here which was nominated by the Crown. I pronounce every man who holds this doctrine to be a Tory in his heart, let him say what he may. Why, what is your doctrine?—one man one vote. But in the metropolitan boroughs these democrats who are crying out 'One man one vote!' would promulgate this doctrine: one man no vote at all. That is exactly what they say. Now, if you are going to set up a standard of Democracy, be true to your own professions. If you are going to have men—and men alone—represented, 2,000 men in Sydney are as much entitled to their votes as 2,000 men in The Murrumbidgee, or in any other part of the country; and the moment you depart from that settled principle, that moment you cast to the winds your boasted principle of democratic representation. Be true. If you want property represented, say so; but do not go prating about the country of one man one vote, and here in your places endeavour to prevent men from having any vote at all. The honourable member wants an undue proportion of representation for one set of men against another set of men; what will the world think of his mere denial, which is not worth a rap? Facts speak with an eloquence with which neither he, nor I, nor any man here can speak. The honourable member says plainly that he wants an advantage for one set of electors in this country which he will not give to another set of electors. I say this: that if you are true democrats, if you wish to accomplish a just and equal reform, you must stand up for 100 men in one part of the colony having the same rights as 100 men in any other part of the colony. There is no other possible condition in legislation of this kind. We are not legislating now on any other hypothesis whatever. Everybody knows that where human contact is most possible, where mind can most

closely and readily impinge upon mind, there and there only is the highest volume of thought evolved. Everybody knows that. It is natural, it is inevitable, wherever human souls are congregated together. But this gentleman, shocked at the least possible volume of enlightenment, wants to give to those who have not the same blessings a higher degree of representation. Then the honourable member (Mr. Copeland) said that this country could not submit to single electorates, because the population was of a shifting character. I will appeal to the common-sense of any gentleman who is listening to me whether a double electorate, or an electorate of three members, would in any way modify the shifting of the population? The population would shift just the same, and it has no more to do in the chain of cause and effect with single electorates than it has to do with the moon.

Mr. COPELAND: The honourable gentleman is misquoting me. I did not refer to that with reference to single electorates, but with reference to the expansive clauses. This is an iron-bound Bill.

Sir HENRY PARKES: As the honourable member has introduced this question of the expansive clauses, I may say that objection can be met at once by the introduction of the expansive clauses. I do not object to that for a moment.

Mr. COPELAND: That will remove one difficulty!

Sir HENRY PARKES: But I see a great ground of objection on the part of those who object to numbers, because the expansive clauses are of no value unless they are acted upon to enlarge the number of the Assembly, so that they cannot be of any value to those who are opposed to the present number of representatives. The honourable member simply stated, in calm, measured tones, in the most prosaic set of words, that he objected to equal representation.

Mr. COPELAND: Hear, hear!

Sir HENRY PARKES: I have not misquoted the honourable member; he objects to equal representation.

Mr. COPELAND: Equal proportional representation.

Sir HENRY PARKES: I thought we were elected to bring about equal representation. I thought that was our object. That is my object in this Bill, and my prime object, and all the provisions of the Bill tend to carry it out, or have been framed with a desire of their tending to carry out a system of equal representation. And if we are sincere in our advocacy of

the principle of one man one vote, we must at all hazards, and by every means in our power, carry out a plan of simple and just equality in representation. 'The honourable member for New England is very peculiar in one thing. In his speeches, which always have great strength, he has a strange faculty for substituting mere assertion for argument. He says, for example, 'No one will make me believe the principle to be equitable.' I should never expect to make the honourable member believe anything unless he was determined to believe it. He makes this bald announcement of his individual belief or unbelief, which, no doubt, is extremely interesting, and he makes it do service in the place of argument. He has not shown that single electorates would do any harm. He has not shown that they would in any way interfere with the disturbance of population on the outbreak of a gold discovery. That disturbance will take place, let your electorates be of whatever character they may; and that disturbance, like the law of necessity, knows no bounds, and all that a Legislature can do is to rectify the disturbance as soon as there are evidences of a settled population in that part of the country. I will not indulge in any further argument in support of the Bill. It has always been announced as part and parcel of the measure of electoral reform. In the first Electoral Bill we introduced or embodied the redistribution of seats. The Bills were separated on this occasion, as we thought to afford a better opportunity for a fair discussion of the redistribution of seats. It was thought that there would be a good deal of difference of opinion upon this entirely new and radical change, and we thought it would be better to have that matter discussed so that it should not embarrass the machinery of what we may call truly the Electoral Bill. I have explained the course the Government adopted in parcelling out the country into these electorates. If any one of us had undertaken to do the work himself, and had allowed political prejudices, and even just political leanings, to influence the matter, there might have been some ground for cavil at us. But we took the course best calculated to give to our scheme a character above suspicion. We took the course of getting the most competent man to do the work, leaving to his judgment the division of electorates without attempting in any way, by instructions or even conversation, to influence him. I believe, Mr. Speaker, that the result is a singularly happy one. I went last night to members who represent three different

electorates, and who are not friendly to me, politically speaking. I asked these gentlemen, whether they had any complaint to make, and, virtually, they said they had none. I do not believe, inasmuch as very few persons have sought in any way to interfere with what has been done, that there is any serious feeling of dissatisfaction. But I wish to ask one question. What man or what set of men could have gone through this difficult and responsible task without displeasing someone? Is it possible that this great task of taking the whole of this vast territory, and parcelling it out into entirely new electorates, could have been performed, having regard to the character of the human mind, without causing some dissatisfaction, and the small amount of dissatisfaction which our step has caused speaks eloquently of the impartiality and honesty with which this arduous and difficult work has been done. The two Bills must stand together; the one is the natural complement of the other. It would be an absurdity, such as I do not believe this great Assembly would be guilty of, to create a new machinery for the representation of the people, and to place it upon the rotten foundation of the thing we are trying to sweep away.

Mr. LYNE: And which the honourable gentleman created!

Sir HENRY PARKES: I suppose the honourable gentleman thinks that is a severe observation. I was the author of the present electoral law. It was a great change for the better at the time; it was a very great advance; and it was all that was practicable then. This measure of ours, comprised in two Bills, aims at a thorough, a complete, an organic change; it aims at depriving many men of a power at the ballot-box which is not extended to every other man; it aims at bringing into the pale of the Constitution hundreds and thousands of men who are now practically excluded; it aims at bringing about a most wholesome system of originating the right to vote—that of self-registration; and, above all, it aims at doing away with those constituencies where one elector can vote for two, three, and four members. On the whole, I venture to say that this is as large, as liberal, and as beneficial a measure of reform, in the direction of bringing about a fair representation of a free people as was ever submitted to any Legislature in the British Empire.

The second reading was carried by 79 to 11 votes, Mr. Dibbs voting with the majority, and Mr. Copeland

and Mr. Lyne among the eleven. In three weeks afterwards I and my colleagues were out of office.

For a variety of reasons I received my release with a feeling of joyful satisfaction. There was much to be done which I should have rejoiced in endeavouring to do, if the path before us had been open and free from ambushes—if we could have entertained a reasonable hope that we should receive such support as honourable men could accept. But the position in which the Government found itself placed was to me almost insupportable. The Labour members—some thirty in number, in a House of 141 members—decided to support us at the opening of the Session, but they gave their support after a manner of their own, and very much as an ungracious man gives charity. Even in dealing with measures of which they approved, they seemed to find an offensive satisfaction in trying to compel the Government to take their course rather than its own. The division which decided us to retire afforded a fair illustration of this purely captious feeling.

A Bill for the regulation of the working of Coal Mines had been so altered in committee that it was reported with a clause fixing the hours for labour, with an allowance for a meal-time, at something like seven and a half. Mr. McMillan, the late Treasurer, moved the recommittal of the Bill to reconsider this clause. On this motion an angry debate ensued, and late in the evening Mr. Barton, the present Attorney-General, who at that time sat on the Ministerial benches, moved that the debate be adjourned. The Ministers accepted Mr. Barton's motion in order that they might gain time for consultation. The Minister of Mines himself (in charge of the Bill) appealed to his friends to consent to the adjournment as a concession of fair play to him. The Labour members approved of the Bill without exception, but they could not resist the temptation to

humiliate the Government they were supporting, and they voted against the adjournment to the number of 22 in a House with 51 members absent, many of them with a sneering laugh on their faces. The result was that the Ministers thought they had had enough of this sort of treatment, and they resigned, and the Bill went with the Ministers.

In the course of this debate I made the following speech :—

This Bill has a history very peculiar, so far as I am concerned. Though I am at the head of the present Ministry, I am not responsible for this Bill, and I wish to make that distinctly clear. When this Bill was in committee in the last Parliament, I was lying on a sick-bed in peril of my life. In my absence, when it was hardly possible for me even to read the reports, my colleague, the Secretary for Mines and Agriculture, assented to the introduction of the eight-hours principle in the Bill. Now, before I take up the history of the Bill from that point, I desire to be distinctly understood on the character and principles of a piece of legislation of this kind. I hold that the duty of the Legislature is to take every precaution which wisdom and humanity can dictate to preserve the health of men working in mines, to protect their lives, and to afford them the amplest security. I recognise the exceptional danger of the avocation, and this Bill was introduced with the twofold object of giving all fair guarantees to men possessed of capital in their investments, and at the same time to preserve the rights and the health of the persons employed in the coal mines. The principle of eight hours was introduced in the peculiar way which I have explained. Now with regard to the apportionment of time in the lives of men who labour. I cannot be suspected of being an enemy to the eight hours system, for I was the first man of any position whatever in this country who advocated eight hours as a day's labour. Thirty-five years ago, before any other public man supported it—and before some of the men who are listening to me were born—I presided at a large public meeting, the first ever held here, to advocate eight hours as a sufficient time for men labouring under an Australian sky. I say here, what I have said many a time and often, that civilisation itself would lose its charm and its value to me if it did not lighten the burden

of those who labour, if it did not lighten the burden of the masses of humanity. I trust the time will come when, in the progress of enlightenment, the necessity for toil will be greatly reduced. I can see no satisfactory object in the ordinary course of moral development if that does not come about. But I distinguish very broadly between eight hours being sufficient for a man to labour and Parliament presuming to say how many hours he shall labour. The economic question of how long a man shall labour in the twenty-four hours disappears from my mind when you conjure up some power of Parliament, which I deny exists, to fix the hours of a man's labour. If that creature, endowed with divine capacity, a human being, who we are told on the highest authority was created in the image of God himself, has any right in the whole world, it is the right to dispose of the attributes of his own life so long as he injures no other human being. I deny that any human institution such as Parliament has the moral power to limit the time he thinks well to labour. It seems to me that the question of what is a sufficient period for toil disappears altogether, and another question arises, whether Parliament has the right to say to a man, 'You shall labour eight hours, but no longer?' If it has that right, it has the right also to say, 'You shall labour eighteen hours.' The question is not whether eight hours or ten hours shall be a day's labour, but whether Parliament has the right to say to a human creature—a creature endowed with the divine capacity of reason—'You shall work for a given number of hours.' If you once establish that, you establish not the eight hours system, but the right of Parliament to fix ten hours, twelve hours, fourteen hours, or any number of hours as a day's labour. It is because I feel that is an act of tyranny—which I deny that any Parliament in the world has the moral right to perform—that I am opposed to fixing the hours of labour by legislation. Nor is it wanted. The working-classes of this country are sufficiently strong to make good—indeed they have made good—their will to work eight hours without asking Parliament to prostitute itself, to exercise a power which in all moral justice it does not possess, to say how many hours a man endowed with reason is to labour. The true freedom of a man is to dispose of his time and of his faculties as best accords with his own convenience, and to violate that freedom is an act of tyranny—a Parliament may do it, but a Parliament has often done most wicked and abominable things,

and it cannot do this thing without violating the laws of God, which made man absolutely free to do the best he can for himself. Hence, then, while I would go with the workers—that is, with the masses of my fellow human creatures—to lighten their burden to the utmost of my power by all moral means, and while I contend that moral means are sufficient, I deny the moral right of any Parliament under the sun to fix the hours of labour. Now I come to this Bill. On my sick-bed, when I could not leave it, I remonstrated with my colleague at what was then done, and I told him the other evening that we could not go beyond what had been already done. I explained to him that it was quite justifiable to limit the hours of labour, to prevent injury to growing youth. I agree to that entirely. I entirely concur in limiting the hours of labour in the case of growing youth. It is necessary to prevent injury to their health. The community has an interest in the sound growth of the rising generation. It is desirable that every child should become a healthy and strong man or woman, and for the sake of society, as well as individuals, the principle of the English Factories Act is perfectly justified. I go further than that; I am willing to limit the hours of labour for adults who have to work in an atmosphere inimical to health. I entirely concur in that; but I draw the widest possible distinction between that and statutory regulation as to how a hale, ordinary man should dispose of his time under the ordinary circumstances of society. I hold no opinion stronger, I believe in no principle as more sound, than in the liberty of every individual man to regulate his own life and to dispose of his own time. I am not going to raise any question concerning industrial organisations. They have taken root and have spread largely, and in many respects I believe they have worked admirably. I am raising no question as to industrial organisations for the support of the sons of toil, but, rising above all considerations of that kind, is the individuality of human existence, and I contend that it is not in the power of any man, or set of men, to interfere with the right of a respectable, industrious, and well-meaning citizen as to how he shall dispose of his time. In that question, as I understand it, I am at issue altogether with my honourable friend who spoke last, and also with those great industrial organisations which are trying to give legal validity to this period of eight hours; but if my voice can be accepted as expressing a warning, I would warn them that in seeking from the Legislature a defi-

nition of eight hours, they only establish the principle that the Legislature has the right to fix the hours whether they be eight, ten, twelve, fourteen, sixteen, or eighteen. You do not fix the time at eight hours for ever ; you fix it for a moment ; it can be altered to-morrow, and extended or decreased ; and when you do it you give to the Legislature a power which was never intended, which is not amongst its functions, which is contrary to the laws of God, and to the laws of human freedom. Now, in regard to this Bill, some of the provisions in it are such that, so far as I am concerned, I would rather retire from office to-morrow morning than give my assent to them. Retiring from office is of no consequence either to me or to anybody else ; but to assent to what I believe to be false and dangerous principles is a matter of the highest importance to us and to our posterity. If one thing is necessary, it is that we should establish clear and definite principles in the laws of the country. A principle is a thing very different from any arrangement of expediency. The object of the Government was, if possible, to carry a measure for the healthy regulation of the coal-mining industry ; to do all that we thought the necessity of the case required, to look carefully to the interests of the workers, but not to overlook the interests of the employers. If the party of labour in this House claim that they are acquainted with labour, so am I. If any of them have worked hard, so have I. If any of them have suffered severely, so have I. If any of them have gone through hard and necessitous circumstances, so have I. I worked at as hard labour as a man could put his hand to in this country for 5s. a day—when the price of a four lb. loaf was 2s. 8d. That ought to have taught me what my sympathies should be in reference to my fellow-creatures. I believe that, to the best of my strength, I have struggled for their good. I am not conscious that I have had any single occasion when I could serve the cause of the greatest number of my fellow-creatures, and have failed to serve it. If anyone should reply to me, that I did such and such a thing at a time of commotion and tumult, my answer would be that, charged with the responsibilities of government, I should do the same again to-morrow. But I have, to the best of my power, tried to serve the masses of my fellow-men since I have occupied a public position in this country. I believe I am serving their interests best in preserving them from this delusion : that it is possible for them, by Act of Parliament, to fix the number of hours which shall constitute a day's

labour. As I have just said, you may establish the principle that Parliament has the right to regulate labour, but you cannot fix the time, except for the occasion. I implore the House to think twice before they establish what, I conceive, is a violation of the principle of human freedom. But, supposing that it were a right thing—that is, supposing that it were a wise thing in the interest of the masses of humanity—to fix the hours for a day's labour by Act of Parliament, surely it ought to be done by a special statute. Surely no man who hears me would say that it ought not to be done by a special enactment, when the subject could be fairly discussed—when it could be debated without the inconvenience of any serious impingement on other provisions, which we all admit to be good and necessary. Surely that is reasonable. I think it is an unwise, an impolitic, and a dangerous thing at any time to seek to introduce violent changes in a Bill not intended to carry out any changes of the kind. With regard to this Bill, I agree to a large extent with many of the arguments advanced by my honourable friend the late Treasurer; and so far as I am concerned, having been absent compulsorily when the Bill assumed this form, and absent again when the principle was extended the other night, I shall not hesitate, whatever my colleagues do, to support the honourable member who has moved the recommittal of the Bill. As far as we are concerned, we ought, in the interests of the gentlemen who seem to take the most interest in this measure, to try to send it to the other Chamber in such a shape as would make it fairly acceptable. We ought to send our measures to the other Chamber without any feature which would unnecessarily provoke hostility, and especially in the consideration of a measure of this kind, which is not of a political character, and which ought not to awaken any very angry feelings. We ought, if possible, to avoid any feature in the Bill which would endanger its passing through Parliament and becoming law. It was the desire of the Government, as my colleagues behind me know, that this Bill should have become law during the last Parliament. It did not become law, and it is our desire that it should become law now; and if there is any delay or mishap, we, the introducers of the Bill, cannot be held responsible. As for the amendments that have been introduced, I neither dispute the right to introduce them, nor for a moment do I doubt the good motives of those who introduced them; but I believe that they ought not to have appeared in this Bill, and in any Bill one of

them at least, I think, could never be sustained by fair argument, and never would receive the countenance of persons who have closely investigated the principles which ought to be implanted in the institutions of civil society. I should like to know what Mr. Herbert Spencer would say about this question.

Mr. J. D. FITZGERALD: Smother him. What has he got to do with it?

Sir HENRY PARKES: Who is it that says smother him?

Mr. J. D. FITZGERALD: Smother his opinion. Is his opinion to influence this House? Are we intelligent men, or are we to be insulted?

Sir HENRY PARKES: I once, some thirty years ago, had a conversation with Thomas Carlyle. He told me, in the course of that conversation, that he in youth had been charmed by Burns's utterance that

The man's the gowd for a' that.

But, said that wise man—and you cannot smother him; he is in his grave—I have since found out how completely hollow is the dictum in Burns's verse. The man is not the gold, but is often very base metal, indeed, and one man is so far from being equal to another as not to be a thousandth part equal to another. And so it is. In this House we are all equal; but if the honourable member who interrupted me in such a pleasant manner were to live to be a thousand years of age, in all probability he would never accomplish one single great good for his fellow-creatures. I do not appreciate—I have never seen any reason to appreciate——

Mr. J. D. FITZGERALD: That is what they used to say about the honourable member!

Sir HENRY PARKES: The honourable member rudely interrupted me in a way which I think I ought not to be interrupted; in a way which was quite irrelevant to the course of my speech. I simply have to say that because an honourable member is elected to this House he does not thereby become anything more than he was before his election.

Mr. J. D. FITZGERALD: I do not claim it!

Sir HENRY PARKES: Suppose I went out of this House tomorrow—and I should be very glad if I could—I should be just the same Henry Parkes that I am now.

AN HONOURABLE MEMBER: We should miss the honourable member!

SIR HENRY PARKES: I do not know that anyone would miss me; but my influence in this country would be just as great, possibly much greater, my province for good would possibly be much larger, if I were relieved from office and from a seat in this House. Election to the House makes no difference whatever. If any of the gentlemen who have got into the House recently think that that makes them anything other than what they were the day before, they are under a great mistake. Conspicuous station does one thing: it brings under the observation of all mankind who are near enough to gaze the real qualities of the person who occupies that station; and unless he has powers and faculties to rise to the level of the station he has attained, it only does him an injury, and tends to sink him into that obscurity to which sooner or later he is sure to return. In making these observations—which have been called from me by the interruption of the honourable member—let me for a moment remind the honourable member that I have seen the election of everybody to the Parliament of this country. I have seen them appear and I have seen their disappearance. I have seen them come up the hill, and I have seen them go down again. I have seen them disappear never to be heard of again. From the assembling of the first Parliament until this day it has been my bitter fortune to watch the beginning of each session and the end of each session; and having sat in every Parliament, I have seen what became of persons who for a time made a great stir in the political atmosphere. One thing is certain, there is no rock for us but those principles which are immortal, and which cannot be injured by any mere contrivance. True principles live for ever, and one of those principles is the inalienable right to freedom of every human being who is brought into this world, and anyone who makes an assault upon this individual freedom, whether he knows it or not, is in his heart and soul in all essential respects as great a tyrant as the Emperor Nero. Tyranny is an arbitrary interference with your fellow-men, the compelling of your fellow-men to do a thing which their honest reason and just judgment tell them they ought not to do, and whether it is in the guise of a manifesto from a trades-union or the edict of an autocrat, it is tyranny just the same in all its elements. And freedom is the power, uninterfered with by anybody, untouched by anybody, protected by honest laws, for every man

born into a free State to do what he thinks best for his own individual advancement and the advancement of his fellows.

Mr. Barton's motion for the adjournment of the debate was negatived by 49 to 41 votes. It did not appear that any serious thought was entertained of critical consequences. Several members of the Opposition voted with the Government, but the Labour members, capriciously voting with the small knot of mischief-brewers, gave the majority of eight against us. Ministers met in Cabinet on the following Monday, and all concurred in the view that the most dignified course for ourselves, and the one most likely to prove conducive to the true interests of Parliamentary government, would be to retire. When the House met in the afternoon, October 19, I made known our decision in the following statement:—

It will be borne in mind that, in moving the adjournment of the House on Thursday night, I intimated that the Government attached much importance to the vote which had just previously been taken. Time, since then, on account of the House not meeting again until to-day, has afforded Ministers the fullest opportunity to consider the situation. We of course fully recognise that the motion made was not one which need necessarily affect the existence of the Ministry. But we had spoken on the motion of the adjournment of the debate, moved by the honourable member, Mr. Barton, and in face of what the Secretary for Mines and Agriculture, more especially, said, the House was pleased to defeat the motion by a majority of eight. We recognise that those motions which affect the existence of Ministries naturally divide themselves into two classes. One class are of a character which necessarily compels the resignation of a Ministry unless circumstances justify an appeal to the people—such, for example, as direct votes of want of confidence and direct votes of censure. Another class of motions which may seriously affect the Government do not partake of this character. They do not necessarily compel a resignation; but they place the Ministers of the day in this position—that they are fully justified in determining their own course. A Ministry would not be justified in retiring

from office under ordinary circumstances, however much that Ministry might desire retirement. But a motion such as that of Thursday night fully justifies the men forming the Government to look upon their own position and elect their own course out of the unpleasantness. We, as I have said, have had ample time to consider the situation—to consider whether we are under any obligation to continue the administration of affairs, and we have arrived at the conclusion that the situation in which we have been placed entirely justifies us, in the interests of our own reputations, and what is of much more importance, in the interests of the country and in the interests of Parliamentary Government, in not proceeding further with the attempt to manage the affairs of this country. There are certain lengths to which men may go from a desire to carry certain measures, and I do not disguise from the House or from the country that there are matters pending before this Parliament which are very very dear to me. Still there is something of much higher moment and of much higher concern, and that is to preserve that standard of self-respect and that sense of honour which are essential to governing a country to the satisfaction of, and with usefulness to, the people of that country. Ministers met this morning, and after a very brief statement from me, embodying the substance of what I have just said, they unanimously, and without a word of discussion, agreed with my view that our proper course was to resign office. I at once proceeded to Government House and tendered to His Excellency the Governor our resignations, and we now hold office until our successors are appointed. Just before I came here I received from His Excellency a note informing me that he had sent for the honourable member for The Murrumbidgee, Mr. Dibbs, to form a new Administration, and asking me, at Mr. Dibbs's request, to move that this House do adjourn until to-morrow, and I now make that motion.

Mr. Dibbs, who received his commission on the Monday, did not succeed in completing his Ministry until the following Thursday. Mr. Barton, who had not been in very cordial relations with Mr. Dibbs, was not even communicated with for two or three days.

Since my resignation in October, 1891, I have taken little part in public affairs. I have been a hard worker

for fully seventy years—from my early childhood; and before leaving office I felt a weight of weariness almost insupportable, and a sense of unhandsome treatment where I ought to have found support; and naturally I have had little desire since to return to active participation in political warfare.

During the stormy time I remained in office after the rising of the Federation Convention I had no possible opportunity of taking any effective step in the cause of Australian union, owing to circumstances affecting the Government from within and from without; and on that account alone I felt a profound regret in retirement. The other Australian Governments which were represented in the convention have done nothing. But some of them have done much to create obstacles to union. It is impossible for any true believer in Federation to view without apprehension the resuscitated movement in favour of the importation of coloured labour.

There has always been a hankering among the large Australian employers, more especially those connected with pastoral pursuits, for cheap labour. First the Imperial convict was preferred to the free immigrant; then the Indian coolie, then the South Sea Islander, had the preference. Fully forty-five years ago the late Benjamin Boyd fitted out vessels for the labour trade among the Islands. As far back as 1854 a Select Committee of the old Legislative Council was appointed on my motion to enquire into the subject of Asiatic labour as carried out in the northern parts of the colony, now Queensland. The revival of the subject at the present time is not by any means new, though it is new in some of its present phases. Polynesian labour has been tried in Queensland, and formally given up after trial. The present Prime Minister, Sir Samuel Griffith, exerted himself vigorously to bring it to an end, and strongly argued against it both on industrial and constitutional

grounds. I recollect a conversation in his presence when I happened to think of the difficulty of white men doing the labour required in the tropical parts of Queensland, upon which Sir Samuel sharply interposed with the words, 'Who says they can't do it?—I say they can!' The revival of the traffic after all this by Sir Samuel Griffith himself is therefore a surprise to most people at a distance.

Sir Samuel Griffith publicly recanted, and completely turned round from his former stand on the question, but those associated with him hold the same opinion now as they formerly held. While this movement is started afresh in Queensland, similar hankerings after cheap labour are showing themselves in South Australia. That colony, struggling with the unwieldy northern territory unhappily tacked on to her, finds herself in a worse plight than the Siamese twins. One voice cries to the East, while the other appeals to the West. She would, and she would not. It is delightful to feel free, but it is convenient to have at hand a servile class. The bewildered Prime Minister, looking abroad, thinks he sees a similar bait to that which is tempting Queensland. If Queensland must have her Polynesians, why not a goodly batch of Indian coolies for the northern territory? But it would be a fine stroke of oriental policy to induce the great colonies of New South Wales and Victoria, who have no earthly concern in the unsavoury business, to join in a mock consideration of it. So South Australia proposes a conference, and New South Wales and Victoria, for some inscrutable reason, give their assent.¹ But Queensland shows mettle, and stands upon her rights. Sir Samuel Griffith declines to submit the decision which has been ratified by his Parliament to an 'irresponsible conference'; and after

¹ Yesterday the South Australian Government was defeated in the House of Assembly, and decided to resign. So I suppose the ill-starred Conference will be given up.—*June 17, 1892.*

much clumsy pressure has been brought to bear upon him in vain, he finally sends this telegram to South Australia :—

I am not aware of any instance in which a conference has considered matters involving contentious political questions, upon which party feeling runs high in the several colonies, and on which a strong difference of opinion exists. So far from the discussion of such matters at a conference, followed by the formal expression of the collective opinion in the form of resolutions, tending to promote federation, I think it would have the contrary effect. The colonies immediately interested are South Australia, West Australia, and Queensland. Although we would willingly submit the matter to a federal authority with responsibility or power to give effect to its conclusions, I do not think an expression of opinion by an irresponsible conference, even if it were representative and certainly expressed the opinion of the colonies, would be accepted by the supporters or opponents of either view in the colonies whose Legislatures are charged with the responsibility of action. The representatives of the colonies are not immediately interested, and could have neither a full sense of responsibility nor sufficient information. Whether, therefore, the collective resolutions of the conference favoured the introduction of coloured labour or not, I think public opinion would not be affected, but the respective Legislatures would, I think, be bound to follow their own opinion. The importance of the question is a reason for establishing a federal authority to deal with it, but not, we think, for calling a conference, the functions of which are entirely dissimilar.

Nine days after that, on June 12, Sir Thomas M'Ilwraith arrived in Sydney, and on the same evening he permitted himself to be 'interviewed' by a gentleman connected with the 'Sydney Morning Herald.' These are some of the views expressed by Sir Thomas, then holding the office of Treasurer in the Queensland Ministry:—

Do you (the reporter enquired) hold that there is a real need for the reintroduction of kanaka labour into Queensland?

Yes, and the necessity is proved by two facts: the immediate closing of the industry in the past and the prospect of only

coloured labour being disallowed in the colony according to the Act of 1885, and also from the fact, proved in every sugar-growing district in the colony, that white men will not do the field work in tropical agriculture. This has been tried over and over again by the planters in almost every district, and with almost uniform failure. I do not mean to say that, physically, European labour is not able to tackle such work; but, if done, it would be at the expense of health and constitution, and the men would ultimately give way. As a matter of fact, however, white men will not do the field work, even at wages which are quite outside the power of the planters to give.

You say, positively, that white men cannot do the work?

They cannot do it for any length of time—they would reduce themselves to blackfellows.

In what respect do you mean?

In working in a climate unsuited to their constitution.

What wages have white men received in the past for the work proposed to be taken up by the kanakas?

As a matter of fact, white men have never been employed at it. They have left it as soon as they have entered upon it.

Then is it a fact that those who have gone so far as to take it up have relinquished it immediately after the first pay-day, never to return to it?

I would not say 'after the first pay-day,' but after they have had a little experience of it—perhaps a few months.

Have you any idea at what rate of pay they were engaged?

I know a case at the present time where the unemployed at Townsville have refused an engagement for six months, at 1*l.* a week and board and lodging, on a sugar-plantation.

May it be supposed that these unemployed men would have undertaken the work if larger wages had been offered?

I don't believe they could do the work, except temporarily. Of course, too high wages make the industry impossible, because, in tropical industries, the labour in tropical countries has to be competed with.

Are you prepared to say kanaka labour could with advantage be employed in the colonies generally?

No; I do not believe in it being employed generally. I only believe in it for tropical agriculture. In all the pastoral districts west of the main range—which is about seven-eighths of Queensland—white labour is much more suitable for the work.

As to the number of kanakas which may be introduced into the colony—is any limit contemplated?

There is to be no limit, except the wants of the colony.

Can you say what is about the extent of those wants?

They would try materially the resources of the Polynesian Islands in time. It has been proved repeatedly from statistics, by men thoroughly acquainted with the subject, that one kanaka gives employment for two white men, directly and indirectly.

Who have been the losers by the temporary cessation of the traffic in kanaka labour in Queensland?

The sugar-planters and the general community.

To what extent has the employment of kanaka labour in Queensland in the past, in your opinion, benefited that colony—I mean financially?

I could not tell you that. Generally speaking, the cultivation of sugar was one of the most successful industries in the colony, and was very profitable to the colony. But the late failure of sugar-planting in Queensland was due, not only to the laws connected with labour, but to the reduction throughout the world in the price of sugar of late years.

Are you altogether in accord with the position taken up by Sir Samuel Griffith in the matter?

Yes: thoroughly.

What are your views with regard to the proposed Inter-colonial Conference?

The situation is thoroughly explained in the telegrams which have been despatched by Sir Samuel Griffith, in which I completely concur.

You object, I understand, to the wisdom of the action of the Government and Parliament of Queensland in this matter being questioned by the other colonies?

Until federation occurs, every colony should take the responsibility of legislating on its own questions.

The employment of coolie labour is involved in this connection, is it not?

These two classes of labour are quite distinct. If South Australia desires to legislate on coolie labour for the benefit of that colony, the proper course is for her to accept the responsibility of taking that step alone. If her legislation were to affect detrimentally the other colonies, no doubt she would hear of it in a legitimate way. At present, to shift her present political difficulties from the colony to a convention, which would, almost

to a certainty, not express the opinions of the colonies, would show her weakness.

It will be observed that Sir Thomas is not quite positive in the opinions he explains. He will not say that 'European labour is not able to tackle such work.' By doing the work they would 'reduce themselves to blackfellows.' 'White men have left the work as soon as they have entered upon it;' this, however, is afterwards explained to mean, 'after they have had a little experience of it—perhaps in a few months.' Sir Thomas does not think Polynesian labour could be advantageously employed in the colony generally, and 'only believes in it for tropical agriculture.' He admits, too, that the system of importing Polynesian labour for what he calls the 'tropical agriculture' of Queensland would 'try materially the resources of the Polynesian islands in time'—that is, it would drain away, largely by disease and death, the male inhabitants, leaving the females to their obvious fate. Sir Thomas commits himself to the monstrous fallacy that 'one kanaka gives employment to two white men directly and indirectly.' As the so-called 'kanaka' is imported on account of his few wants and his low wage-value, it is a heavy demand upon our credulity to believe that he, in some miraculous way, gives employment to two of the white men whom he is engaged to supplant.

As an onlooker of these proceedings, I felt that, having taken the part which I had considered it my duty to take for the last forty-four years against the introduction of persons, either of inferior race or labouring under disabilities imposed by the criminal law of England, I could not remain silent without incurring the suspicion of being indifferent, or of having modified my opinions. I addressed the two following letters to one of the morning papers—'The Daily Telegraph.' The first letter was addressed to both the morning papers, but the 'Herald' declined to publish it:—

Sir,—It is a startling commentary on the high-flown boasts of Australian democracy, that at this moment a proposal is submitted for a conference of these colonies to consider the question of introducing into Australia inferior and unprivileged races of men. The Parliaments of two of the colonies, it is recorded, have already given their sanction to the dark irruption. And great interests are at stake which cannot be conserved without cheap and submissive labour. What does all this mean? Consider it in whatever light you will, it means something to be done which the free men of our own race are not competent to do. It means some necessity, real or imaginary, which can only be met by the service of aliens, who cannot be admitted to our franchises, who are ignorant of our conditions of life, and whose bone and muscle can be obtained on a low commercial scale. Does it, then, mean slavery? Let us see.

There are other slaves besides the human creatures who are stolen from their native soil and sold in a foreign market to the highest bidder. Slavery itself may be a slavery of degrees. There may be an absolute slavery; there may be a mitigated slavery. But slavery in any form has no natural place in the life of a free people. The only foundation and the only security for the freedom of a people is political equality. The concession to popular feeling which has been so widely made that the new traffic shall be hedged round by special precautions and safeguards concedes too much. Special precautions and safeguards are incompatible with the equal rights of free men. But however well designed this exceptional code of regulations may be, who is to ensure its beneficent enforcement? There must be functionaries of some sort in the place of the man-stealer, the man-seller, and the man-driver of the old system with the ugly name. No one will pretend that the best and most tender-hearted of men will volunteer for these unenviable posts. Let us suppose a labour ship—I will not say slave ship—at one of the islands; there is no electric telegraph, no press, no judicial court, no constable, no pulpit or platform orator to overlook or pry into the ship's doings; and do we not know that the labour agent's sense of right and duty will largely depend upon temperament, disposition, and bias of feeling. But the cause is half abandoned which pleads for tolerance through this litany of pretences.

We are told by Burke that where there is 'a vast multitude

of slaves, those who are free are by far the most proud and jealous of their freedom.' Hence the rebellious spirit of Virginia and North and South Carolina at the beginning of the revolutionary war. Is this the latent reason of the desire for inferior and unprivileged races in Australia? But were we to throw open our doors to the Indian coolie and the benighted islander, would not our restriction on the Chinese be a grim farce? In one respect the proposed new traffic would result in a worse form of real slavery than the open slave trade supplied to the Southern States of America. The African slavers planted both sexes on those rich lands by their awful trade in flesh and blood, and we know that many happy family groups relieved the tragic gloom of hopeless servitude. But we should have loathsome clusters and sprinklings of one sex embittered by the enforced absence of the other.

In the course of human progress barbarous peoples have changed their character by slowly winning step by step their rights and privileges. It is proposed that we should reverse the order of progress, and barter away our character as a free people to secure the profitable investment of ill-directed capital, which even now reserves its wage fund for aliens. England expended the gigantic sum of twenty millions sterling to compensate the West Indian planters for the emancipation of their slaves. Are we to gather up our resources to initiate a system of castes and degraded classes, which cannot exist among us without weakening our free institutions and vitiating our national character? The application of the word federal to any design of this stamp is a mockery and a profanation.

Yours, &c.

June 1, 1892.

HENRY PARKES.

Sir,—Our admiration is involuntarily evoked for Sir Samuel Griffith in the constitutional attitude he has assumed on the coloured labour movement in Queensland. Whatever may be said of his policy, the mental acumen of Sir Samuel Griffith is in striking contrast to that of his neighbours in clearly discerning his duty and responsibility under the Constitution. The Ministry having decided, and the Parliament having ratified that decision by giving to it the force of law, that Queensland is to return to its dealings with Polynesian labour, it was impossible for the Prime Minister to submit the solemn resolve of

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the Government to the idle criticisms of an idle conference outside his own country.

Queensland has considered the question without your leave or advice, and has decided for herself. Sir Samuel Griffith has gone through his recantation, and has deliberately shifted his footing from the rock to the sand. In all this unhappy business of marching backwards, what have the Governments of New South Wales and Victoria to confer about, on the invitation of another acute statesman who, without the openness and courage of Sir Samuel Griffith, has for months past been wandering through Asia making philanthropic enquiries about black labour? Does not the mere proposal for a conference on a matter so obvious as this suggest to the mind of any free man, as it suggested to mine, an uneasy readiness to engage in a 'parleying with slavery?'

But I am told, with a show of indignation, that it is not slavery; that the islander will be a free agent, and that he comes to do work which cannot be done by your own countrymen, and that his interests while in your service will be strictly safeguarded. Your own countrymen do the work on your cattle stations, in other of your avocations on the soil, in your woolsheds, in your mines, in the various avenues of your trade, and why not on your sugar-plantations? Is there not some other reason for your craving after the poor islander? Is he not required to serve under conditions which you dare not offer to a free man of your own blood? If he is a voluntary party to your bargain, why do you not make the attractions of your service known to him, and leave him to his own choice of forsaking his fishing-ground, his cocoanut groves, and his banana fields, his kin and his home, in order to serve you in Australia? It would be easy enough to arrange for his free passage to one of your ports. What need to send your ships specially fitted out and specially officered for the poor islander? Above all, if his service is free and voluntary, what is your special Act of Parliament wanted for?

I say nothing here of the inevitable consequences of your man-trade with the island-world of the Pacific, which you will not be able to control or mitigate,—of the bad blood that will be engendered in savage breasts to score its achievements of vengeance in the future, the violated ties of Nature, the bitter sense in the islander's experience of your boasted civilisation, the impossibility of his finding any natural place in life after his

servile sojourn with you, and the ghastly record of mortality connected with the traffic and the servitude.

Let us confine ourselves to the first chapter of this retrograde movement. Queensland has acted within her constitutional right, and she knows it, and she proudly tells the intermeddlers around her to mind their own business. But there is above and beyond Queensland a more powerful voice—the voice of the free people of all Australia. There is a higher tribunal than the Government of Queensland—the tribunal of Civilisation. If her neighbours have no status for active interference, they have the right and the duty of remonstrance; and the right and duty to let the world know that this diseased passion for degraded labour is confined within the borders of Queensland. Instead of paltering to a sickly demand for a conference where there is nothing to confer about—where everything is clear and definite—the two great central colonies, with their two millions and a half of free people, should speak out the true voice of all, and insist upon the preservation of this Australian land for an Australian Commonwealth.

Yours, &c.

HENRY PARKES.

June 10, 1892.

CHAPTER XXVI

THE FEDERATION OF THE AUSTRALIAN COLONIES—SUCCESSES— DIFFICULTIES—APPROVAL OF THE PEOPLE.

THE federation of the Australian colonies has occupied the minds of the best men who have ever studied the problems of Australian progress. There is scarcely one man of any intellectual grasp who has not looked forward to a time of union. Even those who have favoured the idea of separation have nevertheless fore-shadowed the colonies, not as disunited but as united States. Probably no single mind, capable of comprehending the subject in all its immensity, has ever clung to the notion of the colonies planted in Australia remaining separate political organisms for ever. Such

fixed and unalterable separation would carry with it the germs of internecine jealousy, contention, aggression, reprisal, and open war. Kindred ties must in time degenerate into foreign relations. The forces, which in union make the strength of a State, would dissipate themselves in petty rivalries and wasteful strifes.

These pages afford no fitting place for tracing the history of federation, and I must confine myself to a consideration of the question so far as my own opinions and efforts have been concerned with it. But to show how early the question was taken up in what may be termed the history of our constitutional politics, I will cite three authorities. So far back as July 28, 1853 (three years before the advent of Responsible Government), Mr. W. C. Wentworth expressed this opinion in a Report to the Legislature of that day: 'One of the most prominent legislative measures required by this colony, *and the colonies of the Australian group generally*, is the establishment *at once* of a Legislative Assembly, to make laws in relation to the intercolonial questions that have arisen or may hereafter arise in them.' Mr. Wentworth did not say that a federal Legislature would be required towards the close of the century, but 'at once,' thirty-nine years ago. It is not, therefore, an inference or a surmise, but a matter of certainty that, if Mr. Wentworth were still living, he would be a decided advocate of federation, for he was decided in its advocacy at a time when the reasons in support of it were not one hundredth part so strong as they have since become by the amazing expansion of Australian progress. On October 20, 1856, a few months after the introduction of Responsible Government, Sir Edward Deas-Thompson, a man of many statesmanlike qualities, who had held the office of Colonial Secretary for the last thirteen years, said in the Legislative Council: 'The time, I look upon it, is not far distant when the colonies will adopt some federal arrangement;' and

enumerating matters which in his judgment could only be satisfactorily dealt with by federal authority, he added, 'there are seven great questions which ought to be submitted to some general Federal Assembly representing all the Australian Colonies.' In the following year, on September 8, 1857, a committee of the Legislative Assembly of Victoria, presided over by Sir C. Gavan Duffy, reported strongly in favour of federation. Besides the chairman, there were upon this committee several men of eminent fitness for the enquiry, among others Sir John O'Shanassy, Sir Archibald Michie, Dr. Evans, and Sir James McCulloch. The following are the opening paragraphs of the report which show the clearness and decisiveness of the conclusions arrived at and the just reasoning which led to them :—

The necessity of a Federal Union of the Australian Colonies for legislative purposes, and the best means of accomplishing such an union if necessary, have been referred to the present committee. They have given these questions of national polity the prolonged and deliberate consideration which their importance demanded.

On the ultimate necessity of a Federal Union, your committee are unanimous in believing that the interest and honour of these growing States would be promoted by the establishment of a system of mutual action and co-operation among them. Their interest suffers, and must continue to suffer, while competing tariffs, naturalisation laws, and land systems, rival schemes of immigration and of ocean postage, a clumsy and inefficient method of communicating with each other and with the Home Government on public business, and a distant and expensive system of judicial appeal exist; and the honour and importance which constitute so essential an element of national prosperity, and the absence of which invites aggression from foreign enemies, cannot perhaps in this generation belong to any single colony of the Southern group, but may, and we are persuaded would, be speedily attained by an Australian Federation representing the entire.

Neighbouring States of the second order invariably become confederates or enemies. By becoming confederates so early in

their career the Australian colonies would, we believe, immensely economise their strength and resources. They would substitute a common national interest for local and conflicting interests, and waste no time in barren rivalry. They would enhance the national credit, and attain much earlier the power of undertaking works of serious cost and importance. They would not only save time and money, but attain increased vigour and accuracy by treating the larger questions of public policy at one time and place ; and in an assembly which, it may be presumed, would consist of the wisest and most experienced statesmen of the Colonial Legislatures, they would set up a safeguard against violence and disorder—holding it in check by the common sense and common force of the Federation. They would possess the power of more promptly calling new States into existence throughout their immense territory as the spread of population required it, and of enabling each of the existing States to apply itself without conflict or jealousy to the special industry which its position and resources render most profitable.

As was natural in a situation so new, the first conceptions were imperfect—it may be admitted, quite inadequate to the great ends to be accomplished ; but the conviction of the necessity for some form of union was clearly and firmly expressed. Since these early utterances of far-seeing men, during the whole period of Parliamentary Government, arguments have been advanced on the platform and in the public Press, sometimes with much force and eloquence, in favour of an early union of the colonies. My own efforts, by voice and pen, had extended over many years before the Melbourne Conference of 1890, so much so that personal appeals were often made to me by leading men of the other colonies to set on foot a movement for complete Australian union. At a great banquet in Sydney, in commemoration of the Centenary, Mr. Gillies, then Prime Minister of Victoria, made the following appeal to me in the presence of a thousand guests from all parts of Australasia :—

I had not the good fortune to hear all that Sir Henry Parkes

said this evening ; but I can assure him, that in all his aspirations for the future I believe there is not a gentleman from the other colonies here present but will join him to the acclaim, and there is not one solitary proposal he may make for the union of the Australasian colonies, in which they will not be prepared to join, and to do everything which in them lies to carry out that great purpose. We all know what union means, and what disunion means. Disunion has been exhibited on several occasions by the colonies, certainly not to our credit ; and I believe, whatever differences of opinion we entertain, that all the great colonies of Australasia ought to be united, that the sooner they are united, for a great many important common reasons, the better, and that, when they are united, they will be able to speak with a more perfect and more useful voice than ever they could speak separately.

Certainly some of my proposals and suggestions in earlier years took a tentative form. At one time, many years ago, I suggested the union of New South Wales, Victoria, and South Australia, as having interests more in common, and lying more compactly together (excluding the northern territory), than the other colonies. And it may be that this idea will yet be adopted in some scheme of limited federation not embracing all Australia. Let us, however, hope that the whole of the colonies will be interpenetrated by the vivifying sense of supremacy in union, as against irreparable weakness in disunion, and that they will come together, and unite themselves for ever in the ties of kinship and political destiny.

In one of my tentative endeavours I committed the error of suggesting the scheme of the Federal Council, which is now dragging out a consumptive existence under an enabling Act of the Imperial Parliament. I had not then learned that the adage of 'half a loaf is better than no bread' was one of ill sound to a nation rapidly approaching its majority. My fault was this :—At a conference held in Sydney in January 1881, of which I was chairman, I submitted the following memorandum :—

In respect to the Federal Council Bill now submitted, the following positions are assumed as hardly open to debate:—

1. That the time is not come for the construction of a Federal Constitution with an Australian Federal Parliament.

2. That the time is come when a number of matters of much concern to all the colonies might be dealt with more effectively by some federal authority than by the colonies separately.

3. That an organisation which would lead men to think in the direction of federation, and accustom the public mind to federal ideas, would be the best preparation for the foundation of Federal Government.

The Bill has been prepared to carry out the idea of a mixed body, partly Legislative and partly Administrative, as the forerunner of a more matured system of Federal Government. Care has been taken throughout to give effective power to the proposed Federal Council within prescribed limits without impairing the authority of the colonies represented in that body.

No attempt has been made to constitute the proposed Council on any historical model, but the object has been to meet the circumstances of the present Australian situation, and to pave the way to a complete Federal organisation hereafter.

HENRY PARKES.

January 21, 1881.

Though the Bill was framed, it was never adopted or recommended by the Conference, and within a few months afterwards, from maturer thoughts on the subject and consultation of authorities, I abandoned the scheme as a thing that must prove abortive upon trial. On further reflection it seemed to me next to impossible that a small body, not elected by the people, and possessing no executive powers, could satisfactorily deal with matters too largely of a federal character to be submitted to one of the Australian Parliaments. My abandoned Bill remained in this state until the latter part of 1883, when it was taken up by another Conference or Convention, and made the basis of the existing Federal Council Act. I did not even

know what was being done, as I was in England and did not return to the colony until the August following.

The first movement worthy of the noble object of bringing all Australia under one National Government arose from my initiation in October 1889. The correspondence which then took place is so important in relation to what has been done, and to whatever may be done in the future, that it does not appear to me that any explanation is necessary in giving the principal letters in these pages.

Telegram from the Honourable Duncan Gillies, M.P., Victoria, to the Colonial Secretary, New South Wales.

Melbourne, October 22, 1889.

I duly received your telegram of the 15th instant, proposing consultation with regard to General Edwards's important representations on our defences. What I discern is that it is not merely consultation that this vital matter demands, but consideration and determination by somebody having the necessary powers for giving effect to its conclusions. A Conference in the matter might certainly arrive at certain resolutions which, I fear, would, like former ones, be barren of results, the local Parliaments possessing no power for the necessary Federal legislation; this could only be given by the Imperial Parliament. Now we have in the Federal Council a body instituted in view of this very emergency, and endowed with the needful authority and powers. You will see in subsection (i) of section 15 of the Imperial Act, 48 & 49 Vic., cap. 60, that 'General Defences' is the first in the list of matters which may, on being referred to it by the Legislatures of two or more colonies, be dealt with by the Federal Council. This Council, as you know, consists of Ministers and other representative men, and can deal with the whole matter satisfactorily. It can not only consider and devise a practicable scheme, but can embody it in the form of legislative enactment. If the Federal Council be not accepted for this purpose, what else is possible? To create a new Federal Body for defence alone, when you have a Federal Body in existence, having power to deal specially with defences, would certainly seem strange, and outside of Australia would not in-

crease Australia's prestige. We are surely not required to create a new Federal Council, for every new Federal difficulty to be solved in the Federal Council. The requisite machinery stands ready for use. If you consider the matter during your recess, and decide to recommend to your Parliament to give in its adhesion to the Federal Council, the thing is accomplished, and we shall present for the first time the spectacle of an united instead of a divided Australia. Whether this shall be now, or be postponed to a future day, and to other men, rests very much with you to say. It might be necessary to have a preliminary talk to determine the form of submission by the Parliaments of each colony to the Federal Council, but beyond that, should you join, the matter is all plain sailing.

Colonial Secretary's Office, Sydney,
October 30, 1889.

Sir,—Your telegram, explanatory of your views in favour of bringing the machinery of the Federal Council into operation in giving effect to the recommendations of General Edwards for the federalisation of Australian troops, reached me last week in Brisbane. Being extremely anxious to meet your wishes, I lost no time in re-examining the provisions of the Federal Council Act; and I regret that I cannot concur in your view, that the Council possesses the requisite power to constitute, direct, and control an united Australian army. The sub-section of clause 15, to which you specially referred me, appears to supply evidence to the contrary. The two words 'general defences' are included in a long list of secondary matters, such as 'uniformity of weights and measures' and the 'status of corporations and joint-stock companies,' and it would be a very strained interpretation that could give to those two words so used a definition of legal authority to deal with a matter second to none other in the exercise of National power. It is not for me to say what is the precise meaning of the words on which you rely; but it is contended that they cannot be construed to mean the creation, direction, mobilisation, and executive control of a great army for the defence of the whole of Australia.

For more than twenty years I have had the question of Australian federation almost constantly before me; and I cannot be accused of indifference to it at any time, merely because I had become convinced from earlier examination, while others

were adopting the scheme of the present Federal Council at a later period, that no such body would ever answer the great objects of Federal Government. Leaving the provisions of the Act as to the legislative capacity of the Council, we are at once precipitated upon an impassable barrier, in the fact that there does not exist in it or behind it any form of executive power. Supposing, for example, that the Federal Council's recommendations, or enactments, for the movement of Australian soldiers could be accepted, there could not be found anywhere a corresponding executive authority to give effect to them.

The vitally important recommendation made by General Edwards is one, in any light from which it can be viewed, of national magnitude and significance. The vast sums annually expended by the Continental Colonies for defence works and services would be of greatly enhanced value in time of public danger, if the scattered and unconnected forces locally maintained could be brought under one command, and, whenever advisable, directed to one field of operations. I am satisfied that this cannot be done by any existing machinery. The Executive Governments of the several colonies could not act in combination for any such purpose, nor could they so act independently of each other. The Federal Council has no executive power to act at all. The Imperial Parliament, on the application of the colonies, could, no doubt, pass an Act to constitute the Federal Army under one command, and to authorise its operations in any part of Australia; but the colonies could never consent to the Imperial Executive interfering in the direction of its movements. Hence, then, this first great Federal question, when looked at fairly, brings us, in spite of preferences or prejudices, face to face with the imperative necessity for a Federal Government. And why should we turn aside from what is inevitable in the nature of our onward progress? It must come, a year or two later possibly, but in any case soon.

I hope I need not assure you that this Government is anxious to work in harmony with the Governments of the sister colonies in the matter under consideration, and is desirous of avoiding subordinate questions coloured by party feeling or collateral issues. It is a question to be put to the mind and heart of Australia, in view of the destiny of Australia, and on which it is hoped all sections of the collective population will unite without regard to narrower considerations. Believing that the time is ripe for consolidating the Australias into one, this Government respect-

fully invites you to join in taking the first great step, namely, to appoint representatives of Victoria to a National Convention for the purpose of devising and reporting upon an adequate scheme of Federal Government. With much deference to the views of the other colonies, it is suggested that, in order to avoid any sense of inequality in debate or any party complexion, the number from each colony should be the same, and should be equally chosen from both sides in political life; and that, in the case of each colony, the representatives should be elected by Parliament and receive commissions from the Governor in Council. It is further suggested that six members from each colony would be a convenient number, both in regard to combining a fair representation of the two Houses, and at the same time not making the Convention too unwieldy. In each case four members might be taken from the Assembly, two from each side; and two members from the Council, one from each side. In the case of Western Australia, where only one House exists, possibly only four members might be elected. If New Zealand joined, the Convention would as a result consist of forty members.

The scheme of Federal Government, it is assumed, would necessarily follow close upon the type of the Dominion Government of Canada. It would provide for the appointment of a Governor-General, for the creation of an Australian Privy Council, and a Parliament consisting of a Senate and a House of Commons. In the work of the Convention, no doubt, the rich stores of political knowledge which were collected by the framers of the Constitution of the United States would be largely resorted to, as well as the vast accumulations of learning on cognate subjects since that time.

Although a great and pressing military question has brought to the surface the design of a Federal Government at the present juncture, the work of a national character which such a Government could, in the interest of all the colonies, most beneficially and effectively undertake, would include the noblest objects of peaceful and orderly progress; and every year the field of its beneficent operations would be rapidly expanding. I devoutly hope that you will be able to take the view which I have briefly explained, of the necessity now pressing upon these colonies to rise to a higher level of national life, which would give them a larger space before the eyes of the world, and in a hundred ways promote their united power and prosperity.

Permit me, in conclusion, to say that you place much too high an estimate on my individual influence, if you suppose that the accession of New South Wales to the Federal Council rests with me. In my judgment, there is no person and no party here that could persuade Parliament to sanction the representation of this colony in the present Federal Council.

I have the honour to be, Sir,

Your most obedient servant,

HENRY PARKES.

The Honourable Duncan Gillies, M.P., Premier,
Melbourne.

Letter to the Honourable J. A. Cockburn, M.P., South Australia.

Colonial Secretary's Office, Sydney,
October 31, 1889.

Sir,—I have the honour to invite your attention to the question of the federalisation of Australian troops as raised by the memorandum of General Edwards. It is submitted that a careful consideration of the subject will lead to the conclusion that nothing short of a Federal Executive can carry out the General's recommendation.

In reply to a telegraphic despatch (I believe a circular) from the Government of Victoria, I have written giving a fairly full summary of the views of New South Wales on the matter, which we hold to be one of the first importance. I now enclose a copy of this letter, which I hope will receive your consideration.

This Government is anxious to approach the great question of a Federal Australia, which we believe is imminent in spite of all adverse circumstances, in a true federal spirit, untrammelled by any preconceived notions as to conditions, with an earnest desire to act in unison with the other colonies, and fully prepared to make our share of sacrifice to arrive at so noble a consummation.

I have, &c.

HENRY PARKES.

[*Enclosure.*]

[Copy of Despatch to the Honourable Duncan Gillies of
October 30, 1889.]

*Letter to the Honourable Sir H. A. Atkinson, K.C.M.G.,
New Zealand.*

Colonial Secretary's Office, Sydney,
October 31, 1889.

Sir,—I have the honour to bring under your notice the great and pregnant question of establishing a Federal Government for Australia, or, better still, for Australasia. I am not sufficiently informed to understand the feeling of the Parliament and people of New Zealand as to federal relations with the Continental Colonies. It may be readily seen that aspects of the main subject will forcibly present themselves to you which will not, in the same light, be conspicuous to us; but I hope I shall be pardoned if I point out that in the event of the federation of the Australian colonies (which is only a question of a brief difference of time, in any case) an entirely new condition will arise for New Zealand, who will no longer be one of seven separate colonies, but a single colony in relation to a Federated Australian Power.

I simply hope New Zealand will join in this great movement. From my point of view, her interests in the broad light of this event are the same as ours.

I have written to the Government of Victoria giving a fair summary of the views of this Government on the question which presses upon us for solution at this juncture, and I beg to enclose a copy of my letter for your consideration.

I have, &c.

HENRY PARKES.

[*Enclosure.*]

[Copy of Despatch to the Honourable Duncan Gillies of
October 30, 1889.]

Letters similar in import to the one addressed to South Australia were addressed to Queensland, Tasmania, and Western Australia. Mr. Gillies, who acted with great consistency, frankness, and courtesy all through our negotiations, replied to my 'proposals' on November 13. In the meantime I was receiving communications from many quarters, some of them from persons in the highest positions. As things went on,

naturally enough, new views opened to me, and suggestions were offered from far and near. I give the November letters :—

Premier's Office, Melbourne.
November 18, 1889.

Sir,—In dealing with your present proposals for a General Federal Parliament of Australia and a General Federal Government—specially urged now in view of the suggestions of Major-General Edwards on the organisation of the Australian forces, and the importance of securing some effective plan of combined action for defence—it is necessary to make some references to our correspondence a few months ago on the same subject.

This was then marked ' Confidential,' but inasmuch as your present circular letter, now under acknowledgment, deals with the whole question, the communications referred to have necessarily lost their confidential character. I therefore take the liberty here of directing your attention to my letter of August 12, with the view of saying that the general opinions I then expressed as to the practicability at present of constituting a Federal Parliament and Federal Government remain very much the same. But, although I have cause for grave doubts as to the success of such a movement at present, there are no reasons that I am aware of which should stand in the way of so serious and important a proposal being fully considered in all its aspects. To ensure that consideration, I would suggest to you that, instead of going through the form of the Parliaments appointing representatives to a Convention, it should be accepted as sufficient if the representatives of the various colonies at the Federal Council were to meet yourself and representatives from New South Wales to discuss and, if deemed necessary, to devise and report upon an adequate scheme of Federal Government.

The members of the Federal Council are representative public men, who possess the confidence of their respective colonies, and who could well consider this question without any undue usurpation of authority.

It may be accepted without demur that the number of the present members representing each of the colonies could with advantage be increased, so as to give a larger and wider selection (the desirability of which has been already recognised), but if this cannot be effected immediately, we may nevertheless

accept the representation as it is. Appointments by Parliament for this specific purpose would be surrounded with many difficulties, one of which would be an objection to Parliament committing itself, without sufficient consideration, to the determination that the time was ripe to establish a Federal Parliament and Federal Government. The discussion and consideration of this important question by its Federal Council representatives would leave the Parliaments quite unfettered, and would, I submit, be more acceptable; and certainly it could leave no room for suspicion in the mind of Parliament that the members of the Federal Council were being discredited and intentionally thrust aside.

Connected with this question of the establishment of a Federal Parliament and Federal Government is still that other one which must be solved—whether a Federal Parliament and Federal Government be agreed to or not—and that is, to determine the steps to be taken now which will enable Australia to unite her forces in any emergency, and thereby make her defences effective. Even if the Federal Government be agreed to, it must take four or five years before it can be brought about, and should the proposal not be agreed to—should all not be able to see eye to eye—are we to remain a concourse of disintegrated atoms, so far as defence is concerned, and be prepared to sacrifice the national interests of Australia, rather than subordinate our individual preferences to obtain united action?

I have indicated that, whatever be the result of our discussion on the great Federation question, provision should at once be made for united action for defence, and I was therefore pleased to notice that you had re-examined the provisions of the Federal Council Act to see if relief could not be found there. This I look upon as a most favourable augury, because if relief could be found there you certainly would not refuse to accept help even if obtained from a quarter hitherto somewhat despised. To accomplish the purposes which are of primary importance in the matter of Australian Defence it is, I submit, not necessary that the Federal Council should possess or exercise executive authority. What is necessary is that it should legislate for Australia, and this it could do if all the colonies referred to it the subject of 'General Defences' to be legislated upon.

Under this head would be included:—

A General Discipline Act, in which provision could be made for the troops of one colony serving in another

colony, and setting out the circumstances under which they could be sent or withdrawn.

The provisions necessary for placing such troops under the same authority as the local forces.

Provision to fix their pay and allowances when on service outside their own colony.

Provision for the appointment of a General Commanding Officer seconded for service in Australia, and such other provisions as may be necessary to secure the strongest defence for Australia on any emergency.

The object of these provisions is simply to enable the colonies of Australia to do what they cannot do now, viz.: act together in time of need. For this purpose the Council requires no executive authority: let it give the powers indicated above and the colonies can do the rest.

That a Federal Government clothed with the authority of a Federal Parliament could do much more, and do it much better, goes without saying. At this moment we have to deal with an essentially practical question, which demands solution, viz.: How can we secure united action for defence purposes? That question can be solved in the way I have indicated. Is that solution to be rejected because we may not be able at present to obtain a better one? I hope not.

It has certainly been urged by some that the Federal Council may pass its Acts but could not enforce them for want of executive authority; and they would, therefore, be a dead-letter should any colony refuse to give effect to them. Very true, because they would simply be enabling Acts; but the assumption of the whole situation is—that every colony on this continent is anxious to be clothed with the power to act unitedly in the matter of defence, and that their troops should be enabled to stand shoulder to shoulder with the troops of other colonies in any emergency. If this assumption be wrong, then we are idling our time in further considering the matter. If, on the contrary, the assumption be correct, may I ask which colony will refuse to help when help is needed, or refuse to provide the necessary funds to do its part in the defence of Australia? It is not the first time that these colonies have acted together in matters involving a large expenditure of public money, without a thought of evading any responsibility; and, as we have required no Acts in the past, there is no reason to anticipate the

necessity for Acts of coercion in the future to enforce payments of any honourable obligations.

You urge that from the use of the words 'general defences' it cannot be contended that they mean the creation, direction, mobilisation, and executive control of a great army for the defence of the whole of Australia. I quite agree with you, and I have never before heard of such a contention, nor, so far as I know, has it ever been contended that the Federal Council can have, under its present constitution (whatever may be referred to it), the power to create 'a great army for the defence of the whole of Australia,' nor that it can have the executive control of such an army.

Neither of these things is at this stage necessary for our purpose; nor for years would it be possible to obtain them, if to-morrow it were agreed to establish a Federal Government. What we have, and desire to make the most of, is a small compact little force in each colony capable of good and effective work, if a law were enacted to make their mobilisation possible, as well as to secure their proper direction and control. It is to urge the importance of making this law speedily that I have invited your attention to the way in which the powers of the Federal Council can be exercised.

When we meet to discuss and consider these weighty questions in all their aspects, I sincerely hope that some satisfactory agreement may be arrived at; and I shall, indeed, be much gratified if we can agree on the larger question of the establishment of a Federal Parliament and Government; but I earnestly hope that in any event we may at least see our way to unite in securing, through the Federal Council, such legislation as will enable those recommendations of Major-General Edwards to be carried out which you have properly described as 'of national magnitude and significance.' It would be a sad disappointment should we fail in satisfactorily dealing with this lesser question, which, after all, is the practical matter which confronts us at the present time.

I attach a copy of my letter of August 12, in case you should have forgotten or mislaid it.

I have the honour to be, Sir,

Your most obedient Servant,

D. GILLIES, *Premier.*

The Honourable Sir Henry Parkes, G.C.M.G.
Sydney.

Melbourne, August 12, 1889.

My dear Sir Henry,—You must not think from the delay that has taken place in answering your two letters—submitting suggestions for making a fresh start in Australian Federation—that I had, for the present, put the subject aside: on the contrary, the whole question has from time to time been turned over in my mind. I gather from your letters, especially from the last one, that your proposal is to create a Federal Parliament of Australia consisting of two Houses, with an Executive Federal Government constitutionally responsible to the Federal Parliament—the Crown no doubt being represented by a Governor-General. This, of course, would be a Federation on the same lines as the Dominion of Canada. Whether the Parliament so created would in other respects be the same as that of the Dominion would depend on the powers granted to it, and those reserved to the local Parliaments.

It appears to me that, going on those lines, it would be impossible to stop short of granting to it supreme authority necessarily involving the power to levy taxes. I wish I could think that there was any present prospect of bringing this about.

On the various occasions when I urged you to join in the Federal movement, and not leave the parent Colony of New South Wales in a position of isolation, it was with the idea that you might suggest some alteration in the constitution of the Federal Council, which, if made, might make it possible for you to join.

If that were brought about, there is much that could be done for Australia's advantage. In the first place we shall be united; in the second place we could proceed to consider several important questions, which must be dealt with shortly, and which would well come within the province of the Council to deal with. As, for instance, to determine on the united action to be taken in the matter of defence; and to legislate so that the forces of one colony could be made available for service in any other colony; to advise on the best settlement of the Western Australian difficulty. These and others could be effectively dealt with much more so than by any conferences.

It will be within your knowledge that steps are now being taken by the various Legislatures of the colonies represented in the Federal Council to secure an increase in the number of the

members, which will not only give more effective representation, but will also add weight to its deliberations.

In turning the whole question over in my mind, I cannot help being forcibly impressed with the thought—that through the Federal Council, on its enlarged basis—we might be able to consider and formulate the proposals of the larger Federation, and certainly bring about in a much shorter space of time than could otherwise happen the accomplishment of the high purpose you have in view.

It must be borne in mind that for the future the Federal Council will not be represented (as it is now) nearly wholly by Ministers. It will naturally assume a more representative character, and, therefore, if necessary, might be clothed by the special authority of the various Legislatures with power to deal with the question.

Now why should you not join us to do this great work? What is the difficulty? Surely it would be a worthy ambition for you to adopt the best means at your disposal, in fact at your hand, to unite Australia in a Federation which would not only promote her material interests and strengthen her against aggression, but also powerfully aid in uniting and cementing together all parts of the great Empire of which she forms a part. No one at present can do the work but you. You can remove the Federation barrier which has been created by the isolation of New South Wales from all the other Colonies on the Federal movement. New South Wales did put her hand to the plough, and did draw back. It is for you to put your hand to the plough and not draw back. You have at your disposal the means, which I have suggested, if you wish to use them. My advice would be—spend no unnecessary time in trying new means, but make use of the agencies which exist, and which, when being used, will create no alarm in the minds of the timid.

What you may refuse to do to-day, someone else will do to-morrow, and I should be pleased to see you take the pride of place.

My deliberate judgment is, that by far the greatest hope that we can have of the larger Federation becoming a fact in the near future lies in working it by means of the smaller Federation which we have in our hands.

Now I have freely written what was in my mind to say.

Yours very truly,

The Honourable Sir Henry Parkes, G.C.M.G.
Sydney.

D. GILLIES.

Colonial Secretary's Office, Sydney,
November 28, 1889.

Sir,—In reply to your letter of the 22nd instant, and in further reference to your previous despatch of the 13th, I beg to state that I wished to be understood in last writing to you as anxious to make clear my position as an individual in relation to the Federal Council; and I again assure you that the action of New South Wales in remaining aloof from the Council, so far as I can form a correct opinion, has never in any material degree rested with me. In point of fact, the Ministers who represented this colony in the Convention of 1883 were unable to carry motions in the Parliament of the time in favour of New South Wales joining the Council, notwithstanding that they were generally supported by large majorities.

It does not, however, appear to be necessary to enter into any further discussion on the circumstances affecting the attitude of New South Wales in 1883 and the intervening years. She now offers her hand to the other colonies, without reserve and without stipulation for any advantage to herself, and invites them to meet on equal ground in the great cause of Australian union, which she believes represents the soundest sentiments and the highest interests of the Australian populations. The cordial spirit of agreement on the main issue that pervades the correspondence of all the Governments leads me and my colleagues, after the most careful reconsideration of the whole question, so far as at present it is advanced, to accept virtually the suggestions offered by you in your despatch of the 13th instant. Though I must be permitted to take exception to some of your reasonings, I am not disposed to raise any serious objection to the conclusion you arrive at in favour of an informal meeting of the colonies for the purposes of preliminary consultation. It will be a great step to meet on a common ground.

It seems difficult to meet the argument that any representative body, authorised to discuss in its preliminary stages the question of the unification of the colonies, should be credited for such weighty purpose in the highest popular form known to us under Constitutional Government, and that would be election by the several Parliaments. Nor can I easily see how the Parliaments could be 'fettered,' or placed in any condition inconsistent with the genius of Parliamentary institutions, by deliberating and arriving at a decision on Federation any more than on any other subject whatever. I submit that it is the

chief function of a Parliament, in the exercise of its powers, to commit itself, or refuse to commit itself, to the question it has in hand. And even in the case of refusal, the great principle imbedded in the foundation of such institutions operates to refer the question to the primary bodies that originate and give shape and impetus to Parliaments. It is more than probable that a question so intimately concerning the whole Australian people, and on which the wishes of the people ought to be kept constantly in view, will not be decided without appeals to the electoral voice; and there can be no truer wisdom in a democracy than that a movement so momentous in its consequences, when its foundation principles have once been clearly stated, should throughout receive the support of the national majority.

Nor can I admit that several years need be consumed in the establishment of an Australian Federal Government. In the North American colonies the difficulties, racial, territorial, and geographical, were incomparably greater than anything that can possibly arise with us. Of all communities that have ever appeared in history, the Australian communities are, perhaps, the most fitted for, and present the fewest impediments to, just National union. Since I first addressed you on the subject, I think the evidence has made itself apparent that the season is ripe for the work of laying, wide and deep, the foundations of the new structure of Government.

If I rightly read the language addressed to me by yourself, by the Governments of Queensland and South Australia, and by the other Governments, it is that representatives of this colony should meet the members of the existing Federal Council as 'representative public men' to discuss the whole question as now presented, and in the light of what is best for Australia. I only have to add that this colony will be happy to meet the other colonies on these terms.

I have the honour to be, Sir,

Your most obedient Servant,

HENRY PARKES.

The Honourable Duncan Gillies, M.P., Premier,
Victoria.

It will be observed that in my letter to Dr. Cockburn, of South Australia, I say: 'The Government is anxious to approach the great question of a Federal Australia, which we believe is imminent in spite of all adverse

circumstances, in a true federal spirit, untrammelled by any preconceived notions as to conditions, with an earnest desire to act in unison with the other colonies, and fully prepared to make our share of sacrifice to arrive at so noble a consummation.' In this high spirit the Government acted from the first step. In nearly every speech I delivered I repeated words to the same effect. As a Government we did our utmost to lift the discussion to a level above all huckstering tactics and all attempts at provincial favouritism. And from the first we announced that we were prepared for obstacles, reverses, temporary failures, and for backslidings and desertions on the part of pretended friends; and we never ceased to express our belief, that, 'in spite of all adverse circumstances,' the cause would in the end triumph.

It is now (the end of June, 1892) two years and eight months since the date of my first letter to Mr. Gillies, and a mighty work has been done; every mind in Australia has been familiarised with the idea of an united People; the intellect of Europe and of America has been attracted to us by our aspirations to live under a Federal flag and a Federal Government. A great Conference has been held, representative of the several Australian Governments, with unanimity in its voice in favour of federation; a great Convention has met, representative of the several Australian Parliaments, with unanimity in its decisions in support of federation; Men in office may come and go—the puppets of temporary power may rise and fall—a great cause may be flouted to propitiate the dispenser of portfolios in a Ministerial crisis; but the people of the colonies—British-born and Australian-born alike—are sound in their resolve to be united. I have myself addressed various audiences on this question of questions—in my own electorate, in other of the populous suburbs of Sydney—in one of the most crowded and enthusiastic

meetings ever held in Sydney itself¹—in the large inland cities—in the Border towns; and every clear exposition of the case was received with that ring of cheers which cannot be mistaken for any ebullition of factious or local feeling. The newspaper press is almost unanimous on the subject; the leading minds throughout Australia are in warm sympathy with the cause.

In new countries there is, more plentifully than in old States, a class of men who, by active industry, strong common-sense, habits of thrift and sobriety, and sympathy with their fellows, rise to positions of influence without the adventitious aids which are extended to persons born in more favourable circumstances. These men are found everywhere, and they are always central figures in social and political movements. In them natural ability repairs the defects of education, and earnestness supplies the place of eloquence. Among the letters received by me in support of my views many came from this influential class. I select two from the late Mr. James Fletcher, member for the city of Newcastle. Mr. Fletcher held office twice with Mr. Dibbs, and was a consistent member of the party opposed to me. He has been some time in his grave, and he died respected by all classes. The following are his letters:—

October 31, 1889.

My dear Sir,—I have gone as fully into the principles embodied in your circular letter addressed to the Premier of Victoria as the limited time at my disposal would permit.

¹ In the Gaiety Theatre, June 18, 1891, thus described by the *Sydney Morning Herald*:—‘The hour fixed for opening the proceedings was eight o’clock, but long before that time the building was literally packed. At half-past seven o’clock it was impossible for anyone to get much beyond the passage leading to the stalls, and that space soon became blocked. Late arrivals found that they could obtain no more than a glimpse inside the main entrance to the theatre, and several hundred persons congregated outside who were perforce content to gather from the cheering inside an idea of how things were progressing. It had been announced that a portion of the dress circle would be reserved for ladies, but so vast was the crowd that a few minutes after the doors were thrown open all the available room was occupied by the sterner sex.’

In the first place, allow me to say that I am, and always have been, strenuously opposed to anything pertaining to what is known as Imperial federation. If we are to have federation, it must be apart altogether from Imperial interference.

The people of the colony must be the judges of what is best and most conducive to their own interest, and, in my opinion, the ties between us and the mother-country can only be maintained by our having the executive control in managing our own internal affairs.

The so-called Federal Council, established some five or six years ago, was looked upon by many, yourself included, as somewhat farcical, and the subsequent events prove how correct you and others were in that decision; and I hope you will not consider me harsh in expressing an opinion that the creators of that Council did not grasp the situation, nor comprehend the magnitude of what was to be accomplished by an Australian federation. The defences of the colony, however important, are only one factor of what is intended to be done by a Federal Government. If we are to have a Federal Government, I unhesitatingly say that it must be on the lines which you have so lucidly enunciated in the circular under consideration. Any such Council, to be beneficial, should, I contend, be representative, and to be representative it must be chosen either by the people direct or by the Parliament of each colony.

There may be a difference of opinion as to the necessity of giving effect to your recommendation at the present time; but, considering the magnitude and importance of your project, and the power that such a scheme will exercise either for weal or woe on the future of these colonies, and recognising the well-known maxim that 'no great legislation should be done in the time of excitement,' I concur with you that this is a fitting opportunity, in the absence of any national disturbance, to bring about your very desirable proposal.

The petty jealousies existing between the colonies must necessarily be inimical to their best interests, and the progress we have made in the past is due to our vast natural resources rather than to any united efforts of colonial representation.

It is admitted by all who have devoted any attention to the subject, that our arid plains can be made productive by the means of irrigation, in order to accomplish which it will be necessary to break down the barrier which is caused by the existing boundary water-rights of each colony.

Then, again, the treatment of the Western Australia question by the Imperial authorities points to the necessity for a consolidation of our interests.

Your proposal for each of the colonies to be represented at a Conference is in my opinion a good one. It will tend to dispose of the idea that any one colony desires to dictate to the others, and will therefore break down the curse of all progress—jealousy. In dealing with this question, I hope it will be met with in the spirit of fairness, and that the importance of the subject will raise it above party politics, and that we shall join with you in endeavouring to lay the foundation stone of a great and glorious Australian Empire.

I notice by the press that the gentleman appointed as Governor for Victoria is entrusted with a commission of bringing about Imperial Federation. If such is attempted, I unhesitatingly predict it will cause very strained relations between the colonies and the mother-country, and may not stop at that. I am proud to say that, however much we may differ politically on minor matters, I have always admired the noble stand you have taken in maintaining the full measure of liberty for the people of this colony, and your determined opposition to any attempt of Imperial interference, and trust you will always continue to pursue the same course.

I can only speak for myself, and as such permit me to say: that I heartily approve not only of your worthy intentions, but also of the proposed mode of consummating them, which shall have my support. I have no sympathy with those croakers who say the question is premature. If it be good, and I maintain it is, the sooner we have it the better; and I think, taking into consideration all the collateral circumstances, you deserve every credit.

I am,

Yours truly,

JAMES FLETCHER.

The Honourable Sir Henry Parkes, G.C.M.G.
Colonial Secretary.

46 Castlereagh Street, November 4, 1889.

My dear Sir,—I am in receipt of your note of the 2nd inst., and it is gratifying to me to learn that my hurriedly written letter in reference to the Federation of the colonies meets with

your approval. I concur in your remarks that the accomplishment of the great principle does not depend upon the persons now in Executive Office, but nevertheless permit me to say that; in my opinion, it will facilitate the accomplishment of the great work to have it commenced at the present time. You are the initiator of the movement, and I trust you will persevere until a Federated Australia is an accomplished fact.

I am,

Yours very truly,

JAMES FLETCHER.

The Honourable Sir Henry Parkes, G.C.M.G., &c. &c.

The Melbourne Conference unanimously concurred in the expediency of calling into existence a Parliamentary Convention (the first ever called in Australia) to frame a Federal Constitution, and the Ministers present agreed to invite their respective Parliaments to elect members to such Convention. In all the six Australian colonies, and also in New Zealand, the elections duly took place. The New South Wales delegates were Mr. William Henry Suttor, Sir Patrick A. Jennings, Mr. Edward Barton, the present Speaker, Sir Joseph Palmer Abbott, Mr. George R. Dibbs, Mr. William McMillan, and myself. All these gentlemen, on my invitation, met at my house to talk over in an informal way the position of the representatives of New South Wales, and their most advisable course of action. When they assembled, the conversation, which was of the most friendly and cordial character, naturally drifted into a desultory discussion of the principles which should form the foundation of any Federal Constitution. Thinking over the same subject a day or two previously, I had drafted a set of resolutions which I laid before them. So far as my memory serves me, no objection was raised to any of my resolutions except the fourth, in respect to which it was urged that any mention of the public lands would be inadvisable. The fourth section was accordingly omitted, and it

was agreed that I should submit the resolutions in the amended form. The following is my original draft:

That in order to establish and secure an enduring foundation for the structure of a Federal Government, the principles embodied in the Resolutions following be agreed to:—

1. That the trade and intercourse between the Federated Colonies, whether by means of land carriage or coastal navigation, shall be free from the payment of Customs duties, and from all restrictions whatsoever, except such regulations as may be necessary for the conduct of business.
2. That the power and authority to impose Customs duties shall be exclusively lodged in the Federal Government and Parliament, subject to such disposal of the revenues thence derived as shall be approved by the Federal and Provincial Parliaments.
3. That the Military Defence of Australia shall be entrusted to armies or corps to be styled the Federal Forces, under one Commander-in-Chief, and such bodies of Militia or Volunteers as may be raised by the Provincial Governments.
4. That it shall be reserved to a High Commission, representing all the Federated Colonies, to enquire into, consider, and recommend for adoption an equitable scheme for the distribution of the public lands, and the satisfying of existing territorial rights, such scheme keeping in view both the necessary strength of the National Government and the just claims of the respective provinces. The Report of such High Commission to be made to the Governor-General within two years from the date of its appointment, which shall be by a majority of at least two-thirds of the Federated Colonies. The final settlement to be made by a Bill of the Federal Parliament, approved, before being presented for the Royal Assent, by a majority of the Provincial Parliaments.

Subject to these and other necessary provisions, this Convention approves of the framing of a Federal Constitution, which shall establish,—

1. A Parliament, to consist of a Senate and a House of

Representatives, the former consisting of an equal number of members from each province to be elected by a system which shall provide for the retirement of one-third of the members every seven years, so securing to the body itself a perpetual existence, combined with definite responsibility to the electors, the latter to be elected by districts possessing severally an equality of representation.

2. A Judiciary, consisting of a Federal Supreme Court of not fewer than ten Judges, which shall have power to constitute itself a High Court of Appeal for Australia, under the direct authority of the Sovereign, and whose decisions as such shall be final.
3. An Executive, consisting of a Governor-General, and such persons as may from time to time be appointed as his advisers, and whose term of office shall depend upon their possessing the confidence of the House of Representatives expressed by the support of the majority.

That a Committee be appointed, consisting

to prepare and Report upon a Constitution to establish a National Federal Government in accordance with the principles herein set forth.

In drafting the omitted section, I had in view the Northern part of Queensland, the Northern territory of South Australia, and the enormous tracts of land within the boundaries of Western Australia, which never can be turned to proper account by the Government of Perth. The thoughts which occurred to me must have occurred to hundreds of other minds. There is something almost startling in the fact that the Western Australian Government, with its handful of 45,000 inhabitants, nominally holds one-third of Australia. The late lamented J. M. McCrossan, delegate from Queensland to both the Conference and the Convention, uttered some pregnant words in a remarkable speech at the Conference. Mr. McCrossan was an earnest democrat, whose democracy was not of the frothy order, but had a scientific basis and a symmetry in the adapta-

tion of ideas to facts. He was, moreover, an earnest member of the Roman Catholic Church. Mr. McCrossan, unfortunately for Australia, died while serving as a member of the Sydney Convention, comparatively a young man, and every true friend of federation must regret his premature death. I had moved the following resolution as the first business of the Conference, after settling the order of proceedings :—

That in the opinion of this Conference, the best interests and the present and future prosperity of the Australasian Colonies will be promoted by an early union under the Crown, and, while fully recognising the valuable services of the members of the Convention of 1883 in founding the Federal Council, it declares its opinion that the seven years which have since elapsed have developed the national life of Australasia in population, in wealth, in the discovery of resources, and in self-governing capacity, to an extent which justifies the higher act, at all times contemplated, of the union of these Colonies under one Legislative and Executive Government, on principles just to the several colonies.

In the debate that followed, Mr. McCrossan, speaking on February 12, said :—

There is the question of the public lands. I confess I have not quite made up my mind on that question, although I may say that I think the public lands should be under the control of the Federal Executive. We have two examples before us of the federation of peoples of our own race, in the cases of Canada and America. In the United States of America, the Federal Government has the full and sole control of all the public lands, and no one can say that the public lands of the United States have not been well administered and well managed. In Canada the Dominion Parliament left the control of the public lands to the local Governments. Whether the public lands of Canada have been as well administered as the public lands of the United States I cannot say ; probably other members of the Conference are better informed on that point than I am. But we have these two opposite systems to consider between this and the meeting of the Federal Convention, which I hope to see assemble in a few months. In the meantime I think myself that the balance of

opinion is in favour of the Federal Government having control of the public lands.

Sir, I believe that the people of these colonies are far more ripe in the cause of Federation than some honourable gentlemen in this Conference give them the credit of being. I thoroughly believe that if the question was put to the colonies to-morrow, as certain questions are sometimes put in Switzerland and in other countries under what is called the Referendum, the majority of the people of Australia would vote for Federation as against no Federation. And I believe, also, that they would give their votes intelligently, knowing what Federation meant, what sacrifices would have to be made by the different local Legislatures; knowing, also, that it would mean the establishment of a Federal Executive and a Federal Parliament, with which they would have very little or no intimate connection. Now, if my honourable colleague [Sir Samuel Griffith] believes that, as I think he does, why should he, or any other member of this Conference, be afraid to give expression to the opinion? Why should we, who believe so thoroughly in Federation, be afraid to raise the standard of Federation, which we feel ought to be raised, but which seemingly we are too timid to raise for fear of offending the susceptibilities of timid Conservative people. Then, again, my honourable colleague thinks that the people of Queensland might be opposed to Federation because they are opposed to centralisation, being separationists in some parts of the colony; but the honourable gentleman ought to know, and I think he does know, that those people who are actually the strongest separationists are the most ardent of federationists.

Sir SAMUEL GRIFFITH.—Hear, hear.

Mr. McCROSSAN.—The whole of the people of Northern Queensland, who are separationists, are as strong in the principle of Federation as I am, therefore the argument that the people are opposed to Federation because they are afraid of centralisation has no force or effect whatever, as far as Queensland is concerned. Centralisation has no terror for anyone who thinks upon the subject, if sufficient local autonomy is left to the local Legislatures. If we were to have a Legislative Union it would be a different matter; if we were proposing to destroy the local Legislatures it would be a different thing entirely; but if we leave sufficient authority, as we ought to do, to the local Legislatures, Federal Government or centralisation can only have the

effect of making men believe that which we wish them to believe—that they are first Australians, and then Queenslanders, South Australians, or Victorians. Then, again, on the other hand, we must, I think, give to the Federal Parliament the full control of the waste lands of the Crown. I have said already that I am in doubt whether I would give the Federal Parliament the control of all the Crown lands, but there is a large amount of waste lands of the Crown almost outside of civilisation which I think the Federal Parliament should have the full control of, and the Federal Parliament should also have the same control over the territorial jurisdiction of such outside parts or portions of Western Australia and the northern territory for the formation of new States. Every power and authority now exercised by the Imperial Parliament over those parts of Australia should be exercised by the Federal Parliament, and I believe that those powers would be exercised by the Federal Parliament in a more beneficial and intelligent manner than obtains at present, because the power would be exercised by those who know the character of the country and the requirements of the people they are dealing with. I believe also that power should be given to the Federal Parliament—as it is given to the Imperial Parliament—to cut up, if thought necessary, the different existing colonies of Australia, and form them into smaller States. I consider that the colonies of Australia are too large for good government. Some of the existing colonies, such as Queensland, South Australia, and Western Australia, are far too large for good government.

Large States are never so well governed as small ones, and, therefore, the Federal Parliament ought to be empowered to cut up the larger colonies into smaller colonies, as the Federal Government of America has cut up the larger States into smaller States when it has been deemed expedient and just to do so. This may be an extreme opinion, but it is one I have held for a long time, and it is one which I am certain will not be opposed by my constituents in Queensland.

I quote these passages from Mr. McCrossan's speech on account of their originality in contrast to the platitudes indulged in by others; and his consideration of what he conceived to be the desirable scope of the discussion and the conditions of success in the accom-

plishment of the great object was not less remarkable. Mr. Playford, who is nothing unless he is literal, had complained of my resolution, which in fact belonged as much to Mr. Gillies and to Mr. Deakin as to me, because it did not embody some definite proposal—did not give some outline of a Government, and he characterised it as ‘bald.’ Mr. McCrossan replied to this objection:—

I thoroughly approve of the resolution proposed by Sir Henry Parkes. I approve of the resolution word for word, with the exception, perhaps, of the word ‘Australasian,’ to which the New Zealand delegates have alluded. Although certain members of the Conference have thought such a motion is too vague and indefinite, I consider Sir Henry Parkes has shown his wise discretion in proposing it. Judging from the speeches which have been made, Sir Henry Parkes must have had the prescience that, if he had proposed a motion more precise and definite, we probably should never have arrived at an unanimous decision upon it. Therefore I approve of the motion most heartily.

My resolution was passed unanimously by the Conference, and may be regarded as the beginning of federal agreement. Of course I do not commit myself to Mr. McCrossan’s views on the division of Australian territory, and it is probable that he only gave expression to them at that time as speculative and suggestive. But as enunciations of doctrine and theory on the founding of new States, his views may be accepted as laying down as a fundamental principle, that excessive area is not necessary, but positively detrimental, to national growth and development. In that general view I entirely concur, though I have been, and am still, quite prepared to leave territorial divisions as they now exist, rather than create new obstacles to federation. As a matter of reason and logical forecast, it cannot be doubted that if the Union were inaugurated with double the number of the present colonies, the growth and prosperity of all would be more absolutely assured. It would add immeasurably to the national importance of the new Commonwealth, and would be

of immense advantage to Western Australia, South Australia, and Queensland themselves, if four or five new colonies were cut out of their vast and unmanageable territories.¹

The memorable Convention met in Sydney on March 2, 1891. I call it 'memorable,' because it was beyond all dispute the most august assembly which Australia had ever seen, and because the majority of its members were men who yielded to none of their compatriots in their fitness to do the work which had to be done. If we apply the democratic rule, and apply it strictly, these men had all risen to positions of eminence in their respective countries—some to the highest positions—by their own merits and force of character, without any of the aids of fortune; and their number included all the Prime Ministers of Australia, and nine others, including Sir George Grey, Mr. Gillies, and Sir Thomas McIlwraith, who had held the office of Prime Minister in former Governments. They had been elected by all the Parliaments of the colonies, and, therefore, in a constitutional sense, they represented all the people of Australia. It is difficult to see what democracy could desire, if this was not a democratic gathering. The Convention conducted its proceedings with large knowledge and clear argument, and with a personal dignity and a stateliness of debate which secured the public respect.

On the 4th, pursuant to notice, I moved my amended resolutions in the following form:—

That in order to establish and secure an enduring foundation for the structure of a Federal Government, the principles embodied in the resolutions following be agreed to:—

- (1) That the powers and privileges and territorial rights of the several existing colonies shall remain intact, except in respect to such surrenders as may be agreed upon as

¹ Since this was written a Bill has been brought in by Sir Samuel Griffith to divide Queensland into three provinces. See Appendix VII.

necessary and incidental to the power and authority of the National Federal Government.

- (2) That the trade and intercourse between the federated colonies, whether by means of land carriage or coastal navigation, shall be absolutely free.
- (3) That the power and authority to impose Customs duties shall be exclusively lodged in the Federal Government and Parliament, subject to such disposal of the revenues thence derived as shall be agreed upon.
- (4) That the military and naval defence of Australia shall be entrusted to federal forces, under one command.

Subject to these and other necessary conditions, this Convention approves of the framing of a federal constitution, which shall establish,—

- (1) A Parliament, to consist of a Senate and a House of Representatives, the former consisting of an equal number of members from each *province*, to be elected by a system which shall provide for the retirement of one-third of the members every . . . years, so securing to the body itself a perpetual existence combined with definite responsibility to the electors, the latter to be elected by districts formed on a population basis, and to possess the sole power of originating *and amending* all Bills, appropriating revenue or imposing taxation.
- (2) A Judiciary, consisting of a Federal Supreme Court, which shall constitute a High Court of Appeal for Australia, under the direct authority of the Sovereign, whose decisions as such shall be final.
- (3) An executive, consisting of a Governor-General, and such persons as may from time to time be appointed as his advisers, such persons sitting in Parliament, and whose term of office shall depend upon their possessing the confidence of the House of Representatives expressed by the support of the majority.

The debate extended over six days, when the Convention went into Committee to consider the resolutions in detail. After prolonged consideration in Committee, the resolutions were reported with amendments on the 18th. On account of their historical significance, I

give the resolutions again with the alterations made in Committee :—

That in order to establish and secure an enduring foundation for the structure of a Federal Government, the principles embodied in the resolutions following be agreed to :—

- (1) That the powers and privileges and territorial rights of the several existing colonies shall remain intact, except in respect to such surrenders as may be agreed upon as necessary and incidental to the power and authority of the National Federal Government.
- (2) *No new State shall be formed by separation from another State, nor shall any State be formed by the junction of two or more States or parts of States, without the consent of the Legislatures of the States concerned, as well as of the Federal Parliament.*
- (3) That the trade and intercourse between the Federated Colonies, whether by means of land carriage or coastal navigation, shall be absolutely free.
- (4) That the power and authority to impose Customs duties and duties of Excise upon goods the subject of Customs duties, and to offer bounties, shall be exclusively lodged in the Federal Government and Parliament, subject to such disposal of the revenues thence derived as shall be agreed upon.
- (5) That the Military and Naval Defence of Australia shall be entrusted to Federal Forces, under one command.
- (6) *That provision should be made in the Federal Constitution which will enable each State to make such amendments in its Constitution as may be necessary for the purposes of the Federation.*

Subject to these and other necessary conditions, this Convention approves of the framing of a Federal Constitution, which shall establish,—

- (1) A Parliament, to consist of a Senate and a House of Representatives, the former consisting of an equal number of members from each *Colony*, to be elected by a system which shall provide for the periodical retirement of one-third of the members, so securing to the body itself a perpetual existence combined with definite responsibility to the electors, the latter to be elected by

districts formed on a population basis, and to possess the sole power of originating all Bills appropriating revenue or imposing taxation.

- (2) A Judiciary, consisting of a Federal Supreme Court, which shall constitute a High Court of Appeal for Australia.
- (3) An Executive, consisting of a Governor-General, and such persons as may from time to time be appointed as his advisers.

On motion of Mr. W. H. SUTTOR, the resolutions were adopted.

The new matter introduced is printed in *italics*; in the Parliament section the word 'province' and the words 'and amending' are omitted; in the Judiciary section, the words 'under the direct authority of the Sovereign, whose decisions as such shall be final,' are omitted; and in the Executive section, the words 'such persons sitting in Parliament, and whose term of office shall depend upon their possessing the confidence of the House of Representatives expressed by the support of the majority,' are omitted.

Under these instructions the Convention appointed a committee to draft a Constitution, which, when reported, was fully debated in the full House. With much research, much labour, and much care, the Convention did the work for which it had been elected—it framed a Constitution for a Federal Government which will bear comparison, at the hands of intelligent men, with the most liberal Constitutions in the world.

The President declared the Convention dissolved on April 9, 1891. More than fourteen months have passed away since that date, and no step worthy of Government or people has been taken by the Australian Parliaments to bring under consideration the labours of the body which they themselves created for this high duty. Let us endeavour to discover the cause of this strange negligence. There is no evidence that

the interest in the question among the people has in any degree abated. The thinking portion of the populations, in the Churches, in official circles, in the public press, have grown warmer in support from closer acquaintance with the project of union. Why, then, this delay?

I will take the case of New South Wales. The Government, which I had the honour to lead, lost no time in convening Parliament. The financial year is from January 1 until December 31, and Parliament met on May 19, forty days after the rising of the Convention, and when there were seven months and twelve days, covered by constitutional provision for the public service, in which to transact the business of the country. We had two chief reasons for calling Parliament together thus early: (1) To allow ample time for the consideration of the draft Bill of the Convention, and (2) to ensure the passing into law of a Bill to establish a system of local self-government for the country districts. Other important business was announced, but these were the principal measures of urgency. It seems to me impossible for any man to deny that the conduct of the Government was prompt, open, and straightforward. The Governor was made to say in the opening Speech:—

I have called you together at the period which has been affirmed by the Legislative Assembly as the most convenient for the opening of the Session of the year, and while fully half the time, for which the public service is legally provided, remains unexpired, in order that the course of your legislative labours may not be interrupted by the exigency of temporary Supply Bills. It is hoped that the winter season for the sitting of Parliament will be found more conducive to the economy of time, and the lessening of the sacrifices which honourable members are called upon to make in attending to their public duties.

During the recess the National Federation Convention, to which you appointed representatives of this colony, assembled in Sydney. It met on March 2, and concluded its labours on

April 9. The scheme for a Federal Constitution, which that body was instructed as its sole work to frame, will be laid before you in the form of a carefully drawn Bill—the result of much deliberation, argumentative contention, and necessary compromise. In reference to this important measure—the work of the foremost men in the public life of Australia—no time will be lost in submitting to you a resolution as a distinct part of the policy of my advisers; and I feel the fullest confidence that it will receive at your hands the enlightened consideration which the great object before you, and the grave character of the national undertaking which was begun with your concurrence and participation, so eminently demand.

A Bill has been prepared, and will be immediately submitted for your consideration, to confer upon the people of New South Wales the advantages of self-government, giving to the inhabitants of defined areas full authority in the direction of the local affairs of their respective districts.

Another matter was mentioned in the Speech which ought not to be omitted here, as it bears an intimate relation to the state of things which followed some weeks later. There was no Labour party at this time in Parliament. That body made its appearance in the general election of the following month. But Ministers had given much consideration to the great strike in 1890; a Royal Commission had been appointed to investigate the causes of industrial disputes, and to suggest remedies. After enumerating other measures, the Speech contained the following paragraph:—

All parties in the State must have viewed with concern and anxiety the repeated disturbances to the legitimate pursuits of industry and trade which have been caused by the lamentable disputes between the class of employers and the great labour classes of the colony. It is impossible to estimate the enormous loss which must have resulted from these disputes. Works have been closed, and ships driven away from our ports; enterprise has been paralysed, and capital alarmed into seeking foreign fields of investment; angry and evil feelings have been engendered between men who have never had any personal cause of quarrel; and the cruel weight of the widespread misery

has widely fallen, not upon the leaders, but upon the helpless and innocent members of workmen's families. A commission has been sitting for several months past to enquire into, and report upon, this difficult and painful subject. You will be invited to consider a Bill for dealing with the problem presented for solution by the constitution of courts of conciliation, and of tribunals to conduct and determine cases of arbitration in final resort, and to make other provision for the settlement of trade disputes.

On the same day, when the Address in reply was moved in the Assembly, I gave notice of a motion for the consideration of the draft Federal Constitution, which would have brought on a regular debate on the work of the Convention, and afforded every opportunity for members to propose amendments. But this did not suit the arch-plotter against federation, Mr. George Houston Reid, who had made up his mind not to allow, so far as he had power, an open and unprejudiced discussion of the momentous question. In the previous Session Mr. Reid, after endeavouring to elicit opposition, and failing in his endeavours, had voted for the delegates to the Convention: but he made no secret afterwards, first, of his cynical doubts, and then of his open hostility. His position would have been trying to a sensitive nature. He nominally belonged to the Ministerial side; he talked bitterly against the Protectionists on the Opposition benches; he professed to be anxious for a Local Government Bill—indeed he had lately threatened the Government in a noisy public meeting if they did not produce a measure of that kind. But he could not restrain himself sufficiently to wait for my motion, which he knew would be the first business. I was the leader of the House, and I had been the duly elected President of the Convention; even if it had not been my rightful place, common courtesy would have allowed me to introduce this particular business, which I was prepared to do the first moment

possible. But Mr. Reid calculated that, if he took a course which would embarrass the Government, he was sure of the assistance of the Protectionist opposition. So Mr. Reid moved an amendment on the Address. He knew that if his amendment were carried, Ministers would either resign or advise a dissolution. But neither his anxiety for the Local Government Bill, nor his sense of duty, was powerful enough to hold him back. He had brooded over his amendment for days past, had exhibited it to admirers male and female, and had dreamed of the laurels of victory. In making his motion, Mr. Reid was fluent, as he always is,—fluent as a water-spout after a heavy rain; but his speech was barren of thought, and where not vituperative, simply dull. Mr. Reid was mistaken in his calculations; a large number of the Opposition, knowing well the sentiments of their constituents, voted against him, and his amendment was lost by 67 votes against 35. What was Mr. Reid's next act? The Opposition, thinking that they saw an advantage in the excitement of the moment, took the extreme course of voting against the Address itself, which of course, if successful, would have been the severest vote of censure, and Mr. Reid, mastering his intense anxiety for the Local Government Bill, joined in that purely factious vote.

After these wasted two days at the opening of the Session, Ministers met in Cabinet to consider the prospect rather than the situation. The Triennial Parliament had only a little over eight months of its life to run out. The heat and temper displayed in the last division which sought to expunge from the records the Address in reply to the Governor's Speech, and other evidence within our knowledge, satisfied us that the tactics of our opponents would be to prevent us from doing useful work, to demoralise us, and then force us to the country,—that, if any pretext could be twisted to serve the purpose, the picture would be drawn

before the eyes of the electors that we had consumed our time in the 'fad' of federation (a favourite term of our opponents), and had neglected the legislation so urgently required for the advancement of New South Wales. Two nights had already been spent in debating federation, and it appeared to us, under the altered state of circumstances, unwise to bring on another debate, until some progress were made with the urgent business which belonged exclusively to the colony. The Cabinet came to a decision in accordance with this reasoning. The leader of the Opposition, Mr. Dibbs, now came to the front with a direct motion of want of confidence. No one could complain of this as a party move, but the case was different with Mr. Reid; he, according to his own profession, was a Free-trader of Free-traders; he had personally concurred in the formation of the Government, having first been invited to join it; he now walked boldly over, with one or two other disunionist Free-traders, to swell the solid vote of the Protectionists. In that division the two sides were equal, the Speaker giving his casting vote against the motion. This lost to that Parliament all chance of dealing with the cause of Australian union. A few days afterwards the Assembly was dissolved.

East Sydney, Mr. Reid's constituency, returns four members. In the general election, Mr. Reid, who hitherto had always been first or second, was now left last on the poll, with a respectable distance between him and the third man. All the Ministers, with one exception, were returned at the head of the poll. Many circumstances, but chiefly the advent of the Labour party, contributed to confuse the issue of the elections. But in no part of the colony, where the case was clearly put, was the feeling less strong and enthusiastic in favour of federation. I spoke on the subject in various parts of the country—in Sydney, in St. Leonard's, at Lithgow, at Goulburn, at Wagga, at

Albury, at Deniliquin, at Jerilderie, at Nerandera, and at other places; and while I received unstinted marks of approval, I met with no feeling of dissent.

The new Parliament met in July, and Mr. Dibbs was at once prepared to try his fortunes with another motion of want of confidence. I believe my colleagues shared my own feeling, that, with the new element in the House, we had an unknown region before us, and that we were not over-anxious to win on Mr. Dibbs's motion. To me it seemed that it might be well to let him and his friends try their hands with our new masters. But the bulk of the Labour members decided to support the Ministry, and the division gave us a decisive majority. The Labour party behaved honourably enough. They had been elected to obtain legislation for their fellow-workers, and they would not have been honest men if they had not pressed for the introduction of the measures to which they were pledged. So far as we were concerned, we needed no pressure, as most of the Bills so loudly called for were already prepared in our hands. With the Labour force in our majority, we had to choose between proceeding with the legislation, which both we and they believed to be necessary for the well-being of the masses, and giving up office with a large majority in our favour. It was unreasonable to expect the Labour members to agree to our setting aside all provincial—I use the term for the purpose of distinction—all provincial matters, however important, for the great national question of federation. We decided to place federation third in our programme of Parliamentary measures, and so it stood when we had to retire from office. In reality, it was morally impossible for us to deal with federation between May 19 and October 22, when we ceased to be a Government.

In the other colonies no better progress has been made; in most of them nothing whatever has been

done. The fault does not lie with the people, but in the multiplicity of petty interests which block the way in Parliament, and in the jealousies and cross-purposes of men who have not been elected to deal with a mighty question which is wholly new to their experience and extends itself far beyond their accustomed vision.

The Australian Parliaments have upon the whole worked beneficially for the colonies, and many men who have served the electors have deserved well of their country. This may be freely admitted, and yet the fact remains, that men are often elected on no visible or conceivable ground of personal fitness for the business of Parliament. Small local interests are allowed to have inordinate weight, and traits of personal character, not always of the best stamp, act as a loadstone to the votes of certain classes of men. The cricket-ground and the racecourse are nurseries of one order of politicians, and another order is reared in Temperance organisations and debating clubs. And beyond all question, the ecclesiastical craving for power, especially in one Church, overrides every other consideration. It is not, therefore, surprising that groups of men are found in every Australian Assembly who find it difficult to understand the clearest argument in support of an entirely new constitutional structure. This was made painfully evident in recent discussions, where it appeared to be an impossibility for some minds to see that the Convention of 1891 could not impose an uniform electoral system on all the colonies, and that in each colony, as a question of right, the electoral law must be left with its own Legislature. Of course, wherever an element of weakness exists, there will appear men of political cunning and tortuous courses to use it for wrong purposes. It may not be to their own advantage, or to the advancement of any cause in which they profess to believe, but it may serve to gratify their

ill-will in some direction, or their simple love of confusion.

Seeing that there are in Australia six independent Parliaments, with six distinct Executive Councils, the difficulties in the way of legislative agreement appear to be the more formidable the more they are examined. If the question could be resolved into a simple 'yes' or 'no,' it would be easy enough. But to analyse, criticise, and synthesise (if I may use the term), a complex political organism seems beyond the functions of a body with many voices and conflicting wills, and in which the most competent and the most incompetent have equal weight in a general vote. It is almost like a skilful clockmaker being associated on equal terms with a sailor and a tailor, a shoemaker and a weaver, a blacksmith and a bricklayer, in the making or the repairing of a chronometer. But if done in one House of Parliament, it must be done in both; and if in one colony, still in like manner in the Parliament of each of the other five colonies. The difficulty might in some measure be got over if the Parliament were elected on the one question of the Federal Constitution, but that would be of no use in one colony, unless the same thing were done in each of the other colonies, because all must eventually join in the required approval. In New South Wales the Government is under a pledge to submit the draft constitution of the Convention for the consideration of Parliament, and it cannot be delayed without a breach of honour when Parliament re-assembles. If by moderate counsels and good-fortune it should be approved with reasonable and relevant amendments, the example will have a powerful effect in the other colonies. In any case the Australian people are masters of the situation.

The Constitution framed by the Sydney Convention is before the world. If we take the ground of the extreme objectors, very slight amendments, hardly

touching its principles, would meet their pessimistic views. The cavil which has been raised is more one of phraseology than of principle. Any Constitution that can possibly be embodied in language, if fit for a free people, must be largely—almost wholly—modelled on the Convention Bill. Let the Australian people, from sea to sea—East and West, North and South, take heed of this, and if the question is too big for their Parliaments, let them take it into their own hands. There is nothing to prevent the election of a Federal Congress representing all the colonies and the whole people. A Council of Founders might be chosen to revise the draft Bill of the Convention or to frame a new Bill, to be presented to the several Parliaments for acceptance or rejection. Let it never be forgotten that it is not the approval of the few men who form the Parliament of the day, but the ratification by the people who constitute the nation, either through their representatives or by their direct voice, which is required. It will never do to allow the destiny of Australia to be made the sport of paltering politicians, who are here to-day and gone to-morrow; if the people but once awaken to the full grandeur of the movement, the end of their labours will soon be in sight.

CHAPTER XXVII

REVIEW OF MY POLITICAL LIFE—AN ATTEMPTED ESTIMATE OF MY PUBLIC WORK—THE GROWTH OF THE COUNTRY.

I HOLD the opinion that any man of a fair average degree of common-sense, combined with an innate love of the truth, can judge more accurately of his own work in life, where it stands untainted by sinister bias, than any observer can judge of it. Of course, I do not for a moment mean any part of conduct, where the

individual is charged with absolute wrong-doing, and where evidence has to be adduced to substantiate the charge against him or to clear his character. But I mean, that, in the ordinary events of a human life, where the judgment and will are left free to decide, the man himself knows best the motives that actuated, the considerations that governed, and the circumstances that gave shape to, his line of conduct in any given instance. Guided largely by this opinion, I enter upon a retrospect, with some effort at examination, of my own public life of over forty years.

I believe myself to be a proud, but thoroughly unselfish, man, with a fervent and unchanging love of my fellow-creatures. I am proud of my strength to stand alone, of my power to resist forces brought against me, of the conquests I have made by my own energy and perseverance ; but I feel no pride in place or position, or in the possession of the gifts of fortune, which indeed have been few with me. I have never known what it is to feel envy of others more favoured than myself, and I have never withheld my last shilling from those who needed it more than I. The influence of these feelings will explain much in my conduct which men have misunderstood.

I doubt if any man ever started in life with definite objects set before him, which he has steadily and unswervingly laboured to accomplish. No one can believe that of Napoleon Bonaparte in the field of war, or of Mr. Gladstone in the field of peace. New revelations of mental light, new accumulations of moral force, new developments in surrounding conditions, new appearances of material agency, and, inwardly, new springs in the current of thought and meditation, must wonderfully change the relative importance of objects and the practicability of means to their attainment. But in every human life, above the lowest type, there must be a supreme bent or passion—there must be guiding

lights, more or less constant, from the activity of the intellect and the conscience. In Napoleon the love of material power and conquest was ever predominant; in Mr. Gladstone the desire to elevate his fellow-countrymen in the scale of national life has always prevailed.

Looking back upon my own efforts in the young public life of Australia, I feel conscious of having pursued three clear purposes, at times held with a relaxed grasp through the pressure of adverse circumstances, but never lost to sight. I have tried my utmost to win the first place in Australian progress for New South Wales; without abating one jot of my loyalty to the dear mother-colony, I have tried, as occasion has served, to promote the sentiment and to strengthen the nascent ties of Australian union; and, through good and evil report, I have clung to the idea of the expanding greatness and the integrity of the Empire. Forty-three years ago—seven years before the introduction of Responsible Government—I was the person who originated the first movement in Australia for the extension of the elective franchise, with the result that both the household and freehold qualifications of electors were reduced to one-half of what they were previously. My first appearance at a public meeting was to resist the influx of English criminals, in which I never relaxed my efforts until the struggle ended in triumph. After my election to the Legislature, my early labours were directed to much-needed reforms in the public institutions of the colony. Within the first year of my life as a Minister, I succeeded in passing the Public Schools Act of 1866, which laid the foundation of our present magnificent system of primary instruction.

At the close of 1856 I retired from the Legislative Assembly with the view of devoting all my time and energies to the daily journal then on my hands. If at that time—thirty-six years ago—I had ceased to live,

my death would have been generally deplored, so strong was the feeling of public confidence which my conduct had awakened in the country. Public meetings were called to testify the approval and respect of my fellow-colonists, and the following is the announcement of the business which was to be submitted at the last of these meetings :—

Testimonial to Henry Parkes, Esq.

Pursuant to resolutions unanimously passed at two public meetings held at the Royal Hotel, a public meeting of the friends and admirers of Henry Parkes, Esq., will be held at the Lyceum Theatre, York Street, this day, Monday, February 2, at two o'clock P.M. precisely.

The Honourable Charles Cowper, M.P., has kindly consented to take the chair.

The following resolutions will be submitted to the meeting:—

1. That this meeting is unanimously of opinion that the public services of Henry Parkes, Esq., in the patriotic efforts which he has made for many years past to advance civil liberty, social progress, and good government, demand the sincere and grateful acknowledgment of every Australian colonist.

2. That upon Mr. Parkes's retirement, probably for a long period, from public life, this meeting desires that a suitable and permanent memorial should be established of the high estimation of his public virtues by his fellow-colonists, and that a subscription be opened for the purpose of raising funds for the purchase of an estate, to be vested in trustees for the benefit of Mr. Parkes's family.

3. That the earnest co-operation of the Australian colonists in promoting the objects of this meeting be solicited, and that gentlemen favourable thereto be invited to aid in forming local committees, and in soliciting subscriptions in aid of the proposed testimonial.

G. C. REID,
Honorary Secretary.

I, however, so soon as the movement assumed a definite form, stepped in and stopped the proceedings. I had never favoured testimonials, however genuine in

character, and I can most sincerely avow that I desired to be left undisturbed to follow the course I had marked out for myself in the field of journalism. I therefore addressed the following letter to the Secretary of the movement:—

Sydney, January 21, 1857.

My dear Sir,—Until I saw the report of the meeting held yesterday at the Royal Hotel, I did not know who were interesting themselves on my behalf in getting up this proposed testimonial, and I did not see my way to interfere in the business. I think it is right, however, that I should now communicate to you, in order that you may explain to the committee that has been appointed, my feelings on the subject.

In the first place, I think the public should be slow to stamp the services of any man with a special mark of their approval, for honours of this kind can only retain their value by reason of the just claims of the persons on whom they are bestowed. Entertaining this opinion, I cannot persuade myself that I have any merits to entitle me to a distinction so altogether personal. If I have been fortunate enough to effect any amount of good in the share I have taken in public life, I would rather have it entirely lost sight of than over-estimated by my fellow-citizens. In either case the good could not in reality be made greater or less; but it would be more grateful to one's self-respect to rest upon something that remained for ever unacknowledged than to feel conscious of having accepted a distinction undeserved. On the broadest ground that can be assumed, I think my friends would best consult the public interest and my individual reputation by abandoning their intention in regard to me.

In the second place, even if I could believe that my claims to public consideration were greater than my warmest friends can possibly make them out to be, I have a kind of horror of testimonials. My sense of justice, I am bound to say, is against them. Merit, wherever it exists, will work out its own most fitting reward. If men cannot achieve something to stand as a memorial of their own lives, it is best that they should pass away without any attempt of friendly hands to magnify their littleness. I am quite content to submit myself to that inexorable trier of men's actions, Time, and to take my chance of being swept away.

Moreover, I desire above all things, just now, to be allowed

to work in quiet. The duties that lie nearest to me require this for their performance. I am gratefully sensible of the kindness of my friends, which I shall ever remember; but that kindness will manifest itself in the form most desired by yielding to the wishes expressed in this letter.

I am, my dear Sir,

Yours very truly,

HENRY PARKES.

Mr. G. C. Reid, Secretary to Committee.

The meeting was held in the Lyceum Theatre at two o'clock in the afternoon, and was largely attended by leading men, few of whom are now living—indeed, I only know of two, Mr. Richard Jones and Sir William Windeyer. Among the speakers, the late Right Hon. W. B. Dalley is thus reported:—

Mr. DALLEY, M.P., in answer to loud and repeated calls, came forward and said he regretted, as he had no doubt they all regretted, that their proceedings this evening would not be of that distinctively national character that he was sure they all wished they should be. He regretted that what he considered would have been a great expression of public feeling on the retirement from public life of one of the greatest and purest of their public men—he regretted that such an expression of opinion had been stifled by the action of the gentleman himself whom they were prepared to honour. With that delicacy of feeling which had ever characterised him, whether he appeared in the Legislative Assembly or elsewhere, Mr. Parkes had declined the great public distinction his friends were prepared to offer him. Whether in doing so he had done wisely or not was a question which it did not become them at the present moment to consider; but that he had done so from a conscientious belief that he was pursuing a right course they might rest assured. At all events, when the curtain fell between him and the public—that curtain which for a time concealed him from them as a public man—it was rung down with the universal applause of the country. From end to end of the whole colony, from every journal throughout the country, from the lips of every man in the country whose good opinion was worth having testimony to the purity of Mr. Parkes's public conduct, to the earnestness of his services, and to the value of the services he

rendered, had been on all sides afforded. So that whether they consummated this act or not—whether they carried out the public testimonial proposed or not—still on record the approval of his conduct by his country lived, and he therefore did not require this testimonial, whether it assumed a pecuniary or other shape, to guarantee to him that his name would survive and be respected by his country.

The late Sir John Robertson, who had recently taken up his residence in Sydney, having previously lived in a remote part of the country, spoke in a similar strain. I give only a short extract from his speech :—

He was quite sure, from his knowledge of the interior, that in every hamlet, village, and town, the most popular man was Mr. Parkes. Not only was he the most popular, but it was a libel on the pastoral and agricultural interests to say that Mr. Parkes was only the friend of those resident in towns, for he was the friend of the whole country, and it was their duty to stand by him, as he hoped would do every man in the country.

One of the most accomplished men in the colony at that period was the Classical Professor of the University of Sydney, the late Dr. John Woolley, D.C.L. I was gratified by receiving from Dr. Woolley the following letter :—

Lindesay, January 24, 1857.

My dear Mr. Parkes,—My temporary change of residence prevented me from being aware of the meeting in time to attend. I got Mr. Reid's circular at the hour when our friends were assembling. This I could not help very much regretting. It is only natural that we should wish to express our sense of your past public services, and our earnest and cordial anticipations of a long future, which shall secure you in the hearts of all generations of Australians, '*monumentum ære perennius.*'

However, I for one, though I have some reasons for preferring a public demonstration just now, enjoy too much the sentiments expressed in the letter which you kindly sent me to persist in the matter to your annoyance. I shall not be foremost in pressing on the plan against your wish; but if the majority of your friends persist, you will excuse my joining them. It is one thing to consult your feelings—another to

omit a public recognition of your public character; if such a recognition is made, *at all events*, no one, I think, ought to hold back on the ground of your personal objection.

I cannot help adding, that I am delighted, and not surprised, at the manly and generous sentiments contained in your letter to Mr. Reid; they come like the fresh breeze from a free mountain side. It does one good to think that we have some *real men* amongst us. God grant, my dear sir, that you may be spared to take that part in the development of the moral and material interests of this country which I know you desire, and which, I am confident, will make your name as familiar to our children as that of Hampden and Cromwell.

Believe me,

Very truly yours,

JOHN WOOLLEY.

In venturing to give prominence to this early incident in my political life I have been actuated by one or two reasons. It rises from the far realms of the past, when I look back over the thirty-six intervening years of storm and sunshine, and it brings with it the freshness of our youth as a self-governing people. It seems to afford evidence of the beginning of what, I believe, has become an ingrained feature in my public character, the refusal of my very nature *to seek* support, approbation, or honour. Though I have passed through some thirty contested elections, I have never canvassed for a single vote. Though my name has been appended to the appointment of many hundreds of magistrates, I have never accepted the office of magistrate myself. When approached as to whether it would be agreeable to me to have my name submitted for some mark of Royal favour, I instantly declined to be a consenting party to any such distinction even at the hands of my gracious Sovereign. I have always held that honour would lose its lustre, and public position its dignity and importance, if not voluntarily bestowed by those who had power to bestow; if not won by the recipient on his simple merits.

As an administrator, I have been slow—perhaps to a fault—in giving my assent to new expenditure, increase of salary, or any change suddenly proposed. I have held that, if the thing was justifiable and good in itself, it could not suffer from such delay as was necessary for careful examination, and I have felt that there were many unseen influences in the public service, which naturally conflict with the views of economy or reduction, that affect a Minister, and therefore had to be guarded against. At the same time, I have tried to separate and distinguish between the things that admitted of no delay, and the things where delay would be salutary and beneficial in its winnowing effect. Nor have I hesitated to encounter risk with decision and promptitude, where circumstances appeared to warrant it. With arbitrary haste and against formidable obstacles, I have sent troops to a distance to prevent an outbreak likely to be attended with bloodshed. Repeatedly I have brought the arm of the Police to bear with proportioned force on disturbed conditions, where the peace of society appeared to be in danger. But in these cases my success has been my justification. In other cases I have entered into transactions involving large expenditure, without the authority of Parliament, where my judgment has told me that the result would justify my action. In one instance, I unhesitatingly spent 100,000*l.* in the purchase of a property absolutely necessary for the extension of the Metropolitan Railway station. If it had been made publicly known that the Government required this property, a much higher price—probably double the sum—must have been paid for it. Other similar instances might be stated. Parliament, however, has never questioned the wisdom of these transactions. But while doing this, I have seldom allowed a private letter to pass out of my hands with a postage stamp upon it for which the Government had paid,

nor do I think that I have once in my official life used a Government launch on the waters of Port Jackson for my private recreation or convenience, though others have indulged in the extravagant employment of these tempting vessels. In my intercourse with the civil servants of the country, I have laid down the rule to treat them with uniform courtesy as gentlemen, while observing that distance which is necessary to enable the Minister to say 'yes' or 'no' in the public interest. On the subject of promotion, I have always contended that length of service should be fully considered, but not allowed to outweigh superior fitness for duty. And I have persistently guarded myself against favouring members of my own family.

In the province of legislation, I have anxiously endeavoured to preserve and enforce the distinction between matters of principle and matters of expediency, as in my judgment forming the basis of sound laws. A pertinent illustration of my meaning may be drawn from the existing Public Works Act of New South Wales, which I claim to be my own measure. Previous to the year 1888, the practice in the colony in obtaining Parliamentary sanction for new public works was this:—The Minister submitted his scheme, with the plans and books of reference prepared by his officers, and, on his explanation, the political majority supporting the Government voted for his proposal, often with little or no enquiry. The design of the new Act is to enforce the Minister's responsibility, to secure the reality of Parliamentary approval, and to check or defeat improvident proposals. Thus, the Minister is still responsible for the proposal he submits, but after his explanation, instead of going to a loose vote as hitherto, the Parliament, on his motion, refers his scheme for investigation and report to a tribunal consisting of its own members, drawn from both Houses and both sides; and on this committee's report the matter is then proceeded with or

deferred for future action. The principle of Ministerial responsibility and the principle of Parliamentary authority over Government, so far from being impaired, are both strengthened, so long as the integrity of the law is maintained. But there are persons who, labouring under some notion of securing professional competency, have proposed to substitute for the joint Parliamentary Committee a committee of experts, losing all sight of the one transcendent principle of the authority of Parliament in the expenditure of the national revenues. Again, members of Parliament, impatient of obstacles in the way of some work (possibly a railway) in which their constituents are interested, have submitted motions that it be referred to the Public Works Committee for enquiry, regardless of the letter and spirit of provisions of the law, as just explained, by which the Minister alone, on his responsibility, must move the reference.

In the law making provision for primary education in New South Wales, some points of pure principle are engrafted which distinguish it from the Education Acts of other colonies. Though, for all practical purposes, education is brought to every child's home, still a small fee is charged, threepence for each child, with the two-fold object of keeping alive the parent's interest and responsibility, and saving the system from the stamp of eleemosynary support. Again, although the system is strictly non-sectarian, it is not in the hard sense secular; it admits Scripture lesson-books which teach the cardinal principles of Christianity; and it allows religious teachers to collect the children of their denomination and instruct them for a limited time apart from the other pupils, but in no way to interfere with the discipline of the school. Of course there are reformers who would sweep away the fees, and reformers who would banish the name of religion from the schools. It is so easy to 'sweep away' and to 'abolish.' But then the system of primary education was not established

to carry out any idea of charity, or to make children strangers to the faith of their fathers. The object was to place within the reach of all—the children of rich and poor alike—the soundest and best quality of primary instruction, leaving parents to adopt their own course according to their means and their desires, in the later stages of school age. In these distinguishing features I hold that the Parliament which sanctioned and established the system took an enlightened view of the true interests of the country; and it is to be hoped that neither empirics nor demagogues, for the sake of a little cheap popularity, will be allowed to tamper with the foundation so wisely and firmly laid.

Again, on the question of fixing by law the hours of labour, it has always appeared to my mind that, from the moment when the advocates of eight hours enter the domain of compulsory legislation, another question of far vaster concern to society arises. Can the Legislature determine the number of hours of labour for a free citizen, who is in the possession of his health and strength, and all his rights and privileges and the mental capacity to direct his own movements, without a flagrant invasion of his individual freedom? The question is not one of eight hours, or of nine, or of seven hours; but it is whether the law shall interfere with a free man in the exercise of his right to labour in his own way, according to his own will and sense of duty. If one man is protected in his rights of property, shall not the man who has no property be protected in his rights of labour? And is a free Legislature morally justified in exercising this species of tyranny over the subjects of a free country? Thus, while I have always favoured the eight hours' movement (believing that eight hours is a sufficient allotment from the twenty-four for honest labour), I have insisted that it should be settled by reason and consultation, and be made a matter of bargain and engagement like all other matters between employer

and employed. And, beyond all this, I have contended that the Legislature cannot fix the hours of labour, because there is no finality in its decisions ; that in extending our acquiescence to the fixing of the hours at eight, we only acknowledge the competency of the Legislature to fix the hours, it may be eight or it may be eighteen, according to the legislative will for the time being.

As in these measures, so in others, I cannot deny myself the satisfaction of believing that my influence has tended to conserve the good, to eradicate the evil, to strengthen the energy and to elevate the sentiment in the national character. The growth of the colony in which I have lived and laboured has been amazing in my time. If I dare not claim any large positive share in its advancement, I have little fear of being accused by posterity of having created obstacles in its path of progress. I joined its scanty population when it was little more than a scattered settlement, and I have lived to see it entering into the noble fraternity of nations. Others will arise to examine more critically the work I have done ; I can only say that it has been done with an honest purpose.

CHAPTER XXVIII

CONCLUSION

ALL growth is not progress, and progress in one element of the life of a State may be fallacious as the measure of public well-being. The great fault in Australian advance, both in the community and the individual, is the overheated desire to do things too quickly and to compass too much. There is an impatience of those natural difficulties in the upward path which can only be surmounted by perseverance and fortitude. Very

often, a little success has an intoxicating, rather than a steadying, effect. In many cases the fable of the dog and the shadow has a painful realisation. But for all this, and admitting to the full the drawbacks, the volume and momentum of Australian progress have been amazing.

In forming any estimate of the Australia of 1892, it is unfair and unreasonable to go back to the year 1788. My own Australian life fairly covers the free life of the Australian people. In the latter part of the last century England made a settlement in the land, not from any enlightened forecast, not from any wise design of extending empire, but from the hard pressure of the necessities of the State. The very names of the streets of Sydney tell a significant story of the political auspices under which the first foundations were loosely laid: George the Third and his sons—George, York, Clarence, Sussex, Kent, Cumberland; and the King's Ministers—Pitt, Castlereagh, Liverpool, Bathurst, Goulburn. For many years after the landing of the motley group of pioneers under Arthur Phillip, there was no sign of prevision, or forerunning thought, on the part of the British Ministers in connection with the mighty work which they had unwittingly begun. The selection of Phillip as the first Governor appears to have been a happy accident. If they had posted a notice on the beautiful shores of Port Jackson, 'Rubbish may be shot here!' it would not have been a burlesque on their treatment of the despised infant settlement. Throughout the first twenty-seven stormy years which followed the landing of Phillip, if the infant colony was never attacked by the common enemy, it owed its safety to its forlorn remoteness and its insignificance. It does not appear to have been seriously thought of, in the Downing Street of that day, that the little rude community in the Australian wilderness would be unable to live without food; and the King's representative on the

spot, when giving a State dinner, had to request his guests to bring their own bread and meat. The first impetus to a more progressive condition was given by the enterprise and public spirit of private individuals. John Macarthur, in the field of production and industrial activity, and, at a later period, John Dunmore Lang, in the province of social life, rendered services which should never be forgotten. But the tide of progress still flowed against many impediments and interruptions, and the words 'home' and 'comfort' but slowly regained their place in the language of those who had to toil.

Fifty-five years passed away from the arrival of the 'first fleet' of Governor Phillip before the British people settled in Australia obtained the faintest voice in the management of their public affairs. Instead of 'one man one vote,' there was not one vote for all the thousands in the country. So, if we date from that epoch, we have not yet completed half a century of enfranchised life.

In the foreground of the picture before us now stand the great cities of Sydney, Melbourne, Adelaide, and Brisbane, which are justly entitled to take their place in the first rank of the cities of the world; and the Australian people, exclusive of New Zealand, New Guinea, and other Australasian groups of inhabitants, already exceed three millions in number. In population, then, united Australia is 50 per cent. in advance of the kingdom of Greece or the kingdom of Denmark, and is rapidly approaching the kingdom of Portugal and the Netherlands. In the ratio of natural increase Australia can claim pre-eminence. Her births are given at 34·76 per 1,000 against deaths 14·31 per 1,000, while the United Kingdom shows births 31·69 in 1,000 against deaths 19·21; France, births 24·33 against deaths 22·26; Germany, births 37·22 against deaths 25·45. In the racial elements of the population we have 60·80 born in Australia, 8·23 in England and

Wales, 9·55 in Ireland, and less than 12 per cent. in all other parts of the world.

In 1825 the total trade of Australasia was of the value of 511,998*l.*, or 10*l.* 13*s.* 11*d.* per inhabitant. In 1861 it had reached the value of 51,001,071*l.*, or 40*l.* 5*s.* 5*d.* per inhabitant. In 1889 it had risen to 131,749,505*l.*, or 35*l.* 5*s.* 11*d.* per inhabitant. Our shipping had expanded from a tonnage of 147,869 in 1822 to 16,162,820 in 1889. The total value of our agricultural crops was 24,806,453*l.* The gold raised from our mines was of a total value of 335,906,011*l.* The value of our native silver was 5,621,746*l.*, of our copper 25,058,268*l.*, of our tin 14,398,866*l.* Leaving out of view our inexhaustible fields of coal and our other groups of minerals, leaving out of view our millions of horned cattle and our tens of millions of sheep, there is enough in these striking figures to show the grandeur and the amplitude of the resources of Australia, and the industrial strength and enterprise of her people.

We turn to her political condition. If there is any part of the habitable globe where men are free, it is Australia. In regard to the supreme authority of Government, it is no figure of speech to say that we Australians are held to the Empire by a golden link. It could not be of lighter weight or of more intrinsic value. The British tie gives us a standing in the world, which is illumined by all the glory of the fatherland, and which carries in its very fibre the heroic greatness of our race. But so far from arbitrary or unsuitable conditions being imposed upon us from the seat of supreme authority, we have had planted in the colonies institutions as free, as open, as much in our own hands to mould to our own advantage, as the human mind could devise or conceive. Our liberties are absolutely in our own keeping. When we hear men talk, in gaudy language, of the severance of this great tie of national kin-

ship, and of setting up from among themselves a supreme head of a new State, let us look at them, examine them carefully, and ask our sober judgment if we would like to live under a chief ruler of the stamp before our eyes. Or let us look abroad, and see where we can find a republic, or polity of any name, which secures to its subjects a fuller possession of freedom, a truer equality under the laws, and a safer enjoyment of life and property, than are secured by the several Australian Governments? We want change, it is true, but it is a change to the best class of men in the working of our free institutions. We want a further advance, but it is an advance to a state of political society where the public good will be set above all other objects, where men will learn to make personal sacrifices to serve their country, and to hold such service pure and unsullied as the highest of all honours.

The colonies possess a system of Parliamentary Government modelled on the grand type of England, which was achieved through so many generations of strife and suffering, and at the cost of so many glorious lives. No system is perfect, or can be safe from abuse, so long as the world contains weak-minded and bad men. But this system, which every people that struggles to achieve a higher state of freedom accepts as its example, is the nearest approach to genuine self-government which mankind has yet seen. But to be good and healthful the source must be pure, the stream in its course must be protected from impurities, and its current through all the ramifications of society must still be kept pure.

Parliamentary government can only be carried on by political parties. But parties may be pure, honest, and patriotic. Every question of sufficient magnitude to enter into the policy of a Government, which means the active governing power of the country, must have two sides. By the moral and intellectual contentions as to

which is the true side, light is thrown even upon the opposite forces, public opinion is informed and strengthened, and all classes of the community are better enabled to discern and appreciate the nature of the interests at stake. The wrong side—the side most detrimental to the country—may for a time prevail, but it has the least chance of prevailing under honest and open debate by opposing sides; and the right in most cases is sure to come uppermost in the long run. The mischief in party warfare is done by the pretenders, by those men who, with false notions of public distinction, seek election to the Legislature by professing a belief which is repugnant to their consciences. In Australian politics, how many men have gulped down ‘free selection before survey,’ and the maintenance of the Public School system, who hated both in their hearts? Let genuineness and earnestness be cherished by all parties as among the highest qualities of public men.

The burden of the day will rest with the native-born Australians of the future, and never since the dawn of civilisation have the youth of a nation had a fairer field to occupy or a nobler race to run. Let them drink in the moral splendours from the great lives of their ancestry; let them seek light from Pym, who, when all was dark and uncertain, raised a giant’s voice for English liberty; from Hampden, who died on the battle-field for English liberty; from Eliot, whose life ebbed away in a damp dungeon for English liberty; from Vane, who laid his gracious head on the block for English liberty. Let them kneel to Milton for inspiration, let them sit at the feet of Locke to receive lessons of wisdom, let them feed their souls on the luminous pages of Burke. The heroic figures of the first half of the seventeenth century—the men who entered upon the deadly struggle with King Charles and Strafford—must for ever command the homage of the students of our constitutional history. Their place cannot be supplied

by any of the great teachers of later times. They wrote the lessons which they set before us in their own blood. The magnificent fabric of freedom, founded many generations before their time, which the Stuart kings laboured so strenuously to destroy, rose from their ashes with renewed splendour; and every age since has produced wise and enlightened minds to enlarge its foundations, to adorn its colossal walls, and to protect its sacred precincts from desecration. It was left for the beneficent reign of Victoria to give fulness and harmonious proportion to that Constitution, which has been evolved through centuries of tumult, by noble efforts often foiled, and through the blood of patriots prodigally spilt.

One danger to a sound and healthy public spirit in Australia is the inordinate appetite for sports and amusements. Outdoor exercises and indoor recreations are excellent within rational limits; but man in a civilised state has capacities for something more, and lives under obligations to use his capacities for much higher objects. All things are subject to the unsleeping inroads of decay, and any good achieved cannot be left to preserve itself. Not only so, but the enemy is always at work, to turn to a wrong use or to impair or destroy. Hence the citizens of a free State have always on hand their duties in preserving the continuous well-being of the State. 'Luxurious ease' is a phrase that sounds sadly in disaccord with the conditions of a new state of social existence. In a young country every man has his part to fill, not only in the work of the day, but in preparing for the future.

It may be well to bring home to the mind what the practical working of Parliamentary government really is. This form of polity, as it now exists in England, has been fought for, laboured for, died for, by our ancestors; and the best men of later times have devoted their genius to its purified development in the light of

human progress. The Australian Constitutions have been modelled on this august pattern, leaving us free to amend their provisions and give still further effect to the essential principles on which they rest. What are these principles? Mainly, in the first place, that the people of the country shall be enabled, by direct and indirect choice, to single out, and bring together, the men who are to govern them in the administrative and executive functions of the State, and to say when these men shall govern them no longer; and, in the second place, that the people shall have a potential voice in the making of the laws under which they live, and through their representatives shall have effective control over the raising and the expenditure of the public revenues, and the power to redress public grievances. All other are embraced in, or are subsidiary to, these cardinal principles.

At every step in this delicate, but sound and comprehensive, scheme of self-government, two words should be engraved on the mind of the free citizen—purity and integrity. To begin with the constituency. The ballot-box should be regarded by the elector as a sacred urn. No individual influence, no personal favour, no consideration whatever apart from the voter's sense of fitness for the discharge of high public duties, should determine the deposit of the vote in the ballot-box. Of course, where candidates for the vote put forth opposite sets of opinions, or opinions materially differing, the voter in the exercise of his judgment and conscience must select his side, but the selection must be honestly made in view of what he believes to be the public welfare.

Following the new member from the poll declared in his favour to his seat in Parliament, he cannot do better than accept the advice of Sydney Smith—to take his place loyally with his party—to shrink from pushing himself forward—never to speak unless he has

something to say which others have not said—not to think of himself in connection with office, but, if office should come to him honourably, to be prepared by previous study and acquaintance with public affairs to accept it. It is well to remember always that reputation and honour cannot be derived from merely holding office, and only from filling office with dignity, ability, and usefulness. But the member of Parliament, in filling the place to which alone he has been directly chosen, has great occasions before him for useful labour, and though the higher duties and obligations of Ministerial office may never fall to his lot, he has a large field in which to serve his country. In that field, in watching the course of legislation, in checking abuse, in vindicating the injured, and in guarding the State from the blight of monopolies, from the dominations of ecclesiasticism, and from class interests entrenching themselves within its borders, he may gain a higher distinction than can possibly be achieved by the average Minister. John Bright won his brilliant crown of oratory and patriotic service as a plain member of the House of Commons—not as one of Her Majesty's Ministers.

But the Minister himself, if worthy of his high place, should live from day to day more sensitive to the burden of his obligations than solicitous of popular support. He should learn how to sustain himself in office with dignity, and how to quit office with dignity. And he should allow his mind at all times to be filled with the conviction, that the interests of the commonwealth are transcendently superior to anything that can affect himself personally. He should despise the vulgar suggestion of the retention of office by any means that jar with the integrity of the Constitution.

What a noble incentive to high conduct in her

service, now and in the future, is supplied by the glorious country we possess and her manifest destiny! In the beginning of this book I quoted the words of the poet Campbell; in closing these desultory chapters, I again quote the poet's words:—

Land of the free! thy kingdom is to come,
Of states, with laws from Gothic bondage burst,
And creeds by charter'd priesthoods unaccurst;
Of navies, hoisting their emblazon'd flags,
Where shipless seas now wash unbeacon'd crags;
Of hosts, review'd in dazzling files and squares,
Their pennon'd trumpets breathing native airs,—
For minstrels thou shalt have of native fire,
And maids to sing the songs themselves inspire:—
Our very speech, methinks, in after-time,
Shall catch th' Ionian blandness of thy clime;
And whilst the light and luxury of thy skies
Give brighter smiles to beauteous woman's eyes,
The arts, whose soul is love, shall all spontaneous rise.

Untrack'd in deserts lies the marble mine,
Undug the ore that midst thy roofs shall shine;
Unborn the hands—but born they are to be—
Fair Australasia, that shall give to thee
Proud temple-domes, with galleries winding high,
So vast in space, so just in symmetry,
They widen to the contemplating eye,
With colonnaded aisles in long array,
And windows that enrich the flood of day
O'er tessellated pavements, pictures fair,
And niched statues breathing golden air.
Nor there, whilst all that's seen bids Fancy swell,
Shall Music's voice refuse to seal the spell;
But choral hymns shall wake enchantment round,
And organs yield their tempests of sweet sound.

The present actors will soon disappear from the stage. Already, those whom we knew so well in the early days of the Constitution we know no more. A new generation is close upon us; the many will know no other land than fair Australia. They will bring, let us hope, with the tie of nativity, more ample stores of knowledge, nobler capacities for patriotic service, and an imperishable love of freedom and justice. Standing

before the unlifted veil, let the meanest of us breathe a fervent prayer, that the Almighty may guide the young commonwealth on the high-road of her starry future, that her people may be abundantly blessed within these encompassing seas of peace, and that their influence beyond may be a blessing to all mankind.

APPENDICES

APPENDIX I

Public Meetings in England and Scotland addressed by Mr. Parkes as Emigration Commissioner.

1861.

August 21.—At Birmingham, in the Music Hall; Alderman James Baldwin in the chair. Population 295,955.

September 19.—At Wolverhampton, in St. George's Hall; Frank P. Fellows, Esq., in the chair. Population 60,858.

September 20.—At Worcester, in the Hall of the Museum; Richard Padmore, Esq., M.P., in the chair. Population 31,123.

September 21.—At Rugby, in the Town Hall; the Rev. S. Hooson in the chair. Population 6,317.

September 23.—At Leicester, in the Temperance Hall; E. S. Ellis, Esq., Mayor, in the chair. Population 68,052.

September 26.—At Dudley, in the Rose Hill School; Edward Grainger, Esq., High Bailiff, in the chair. Population 44,975.

October 7.—At Derby, in the Town Hall; W. T. Cox, Esq., High Sheriff, in the chair. Population 43,091.

October 8.—At Warwick, in the Corn Exchange; W. B. Shaw, Esq., Mayor, in the chair. Population 10,589.

October 9.—At Leamington, in the Public Hall; John Hitchman, Esq., in the chair. Population 15,692.

October 10.—At Droitwich, in the George Hotel Assembly Room; the Right Honourable Sir John S. Pakington, Bart., M.P., in the chair. Population 6,540.

October 11.—At Walsall, in the Guildhall Assembly Room, Henry Brace, Esq., Mayor, in the chair. Population 37,762.

October 16.—At Nottingham, in the Exchange Hall; Thomas Cullen, Esq., Mayor, in the chair. Population 74,531.

October 18.—At Stourbridge, in the Town Hall; the Rev. J. W. Grier, M.A., in the chair. Population 7,847.

October 21.—At Manchester, in the Town Hall; Thomas Bazley, Esq., M.P., in the chair. Population 357,604.

October 22.—At Birmingham, in the Town Hall; Arthur Ryland, Esq., Mayor, in the chair. Population 295,157.

October 24.—At Sheffield, in the Town Hall; Henry Vickers, Esq., Mayor, in the chair. Population 185,157.

November 20.—At Kidderminster, in the Music Hall; the Right Honourable Lord Lyttelton, in the chair. Population 15,398.

November 21.—At Leeds, in the Music Hall; Mr. Councilor Carter (in the absence of Mr. Baines, M.P.) in the chair. Population 207,153.

November 26.—At Bilston, in the St. Mary's School; the Rev. H. F. Newbolt, M.A., in the chair. Population 25,000.

December 6.—At Solihull, in the Town Hall; the Rev. Patrick Murray Smythe, M.A., in the chair. Population 3,277.

December 10.—At West Bromwich, in St. George's Hall; Capt. H. Williams (in the absence of Lord Calthorpe) in the chair. Population 34,591.

December 11.—At Stratford-upon-Avon, in the Town Hall; Henry Lane, Esq., Mayor, in the chair. Population 3,672.

December 12.—At Redditch, in the National School Room; the Rev. Geo. F. Fessey, M.A., in the chair. Population 6,141.

December 17.—At Bradford, in St. George's Hall; William E. Glyde, Esq., in the chair. Population 106,212.

1862.

January 24.—At Chesterfield, in the Market Hall; William Drabble, Esq., Mayor, in the chair. Population 9,835.

January 28.—At Tamworth, in the Town Hall; Thomas Argyle, Esq., in the chair. Population 10,202.

March 10.—At Battersea, in the Navvies' Night School; Mr. Ward, Local Missionary, in the chair. Population 6,887.

April 4.—At Stoke-upon-Trent, in the Town Hall; Frederic Bishop, Esq., Chief Bailiff, in the chair. Population 101,302.

April 11.—At Darlaston, in St. George's Schoolroom; the Rev. Manton Hathaway, B.A., in the chair. Population 10,590.

April 14.—At Shrewsbury, in the Music Hall ; Joshua John Peele, Esq., in the chair. Population 22,055.

April 15.—At Hanley, in the Hall of the Potteries Mechanics' Institution ; Benjamin Boothroyd, Esq., Mayor, in the chair. Population 20,564.

April 16.—At Nantwich, in the Town Hall ; Richard Chambers Edleston, Esq., in the chair. Population 5,426.

April 17.—At Rochdale, in the Public Hall ; J. T. Pagan, Esq., Mayor, in the chair. Population 38,164.

April 24.—At Atherstone, in the Corn Exchange ; C. H. Bracebridge, Esq., J.P., in the chair. Population 3,819.

April 28.—At Wigan, in the Public Hall ; Nathaniel Eckersley, Esq., J.P., in the chair. Population 37,657.

April 30.—At Stafford, in the Lyceum ; Colonel the Honourable E. R. Littleton (in the absence of Lord Hatherton), in the chair. Population 12,487.

May 5.—At Paisley, in the Exchange Rooms ; Provost Pollok in the chair. Population 47,952.

May 6.—At Greenock, in the Town Hall ; Robert Steele, jun., Esq., J.P., in the chair. Population 36,689.

May 8.—At Dumbarton, in the County Hall ; Provost McIntosh in the chair. Population 5,411.

May 9.—At Stirling, in the Court House ; Provost Murrie in the chair. Population 12,837.

May 20.—At Stroud, in the Subscription Rooms ; Rev. T. H. Tarlton, in the chair. Population 35,513.

APPENDIX II.

New Guinea.

Colonial Secretary's Office, Sydney,
July 27, 1874.

Minute for His Excellency the Governor.

ON the subject of New Guinea, to which you made reference in our conversation a few days ago, I desire to make some observations in which my colleagues concur.

The attention of this colony has been on several occasions directed to New Guinea by persons who have been much im-

pressed by its natural fertility and rich resources. About seven years ago an effort was made to form an association in Sydney for voluntary settlement on the eastern shores of the island, and again, in 1870 or 1871, a number of young men, mostly natives of this colony, and some of them the sons of respectable and well-known residents, banded themselves together and chartered a vessel for the purpose of forming a settlement there. This vessel, the brig *Maria*, sailed from Sydney, it is said under very improvident preparation for the voyage, and she struck on a reef and foundered off the northern coast of Queensland. Some of the adventurers were lost, others escaped to the shore and suffered severely in an uninhabited part of the northern colony. The interest in New Guinea, and the belief in its future importance, which have been felt very generally in this colony for some years, have received fresh strength from Captain Moresby's discoveries and from the increasing trade of vessels from this port to Torres Straits.

There probably is no country in the world which offers so fair and certain a field for successful colonisation as this great island, as there certainly is none so rich and attractive, and, at the same time, so close to British rule.

It is understood that the objection of English statesmen to extend the colonies of Great Britain is based upon the impolicy of throwing the cost of founding new settlements upon the English taxpayer. If this be so, and is held to be an insuperable objection, might not an Imperial charter be granted to an Australian company to colonise the eastern side of New Guinea, England reserving to herself the appointment of Governor, and authority in other matters deemed of first importance? I feel very confident that many men of high character and large wealth in these colonies would at once engage in an enterprise so tempting and honourable, if they had the opportunity of doing so under British authority, and that a colony might be successfully founded without costing Great Britain a single shilling beyond the support of her ships of war.

The importance of New Guinea to the English empire now rapidly forming in this part of the world cannot be overestimated. Its close proximity to the Australian coast, its territorial extent, the valuable character of its lands, its known mineral wealth, the pearl fisheries in the neighbouring seas, give to it a prominence in the progress of these colonies which will go on increasing every year. Its colonisation by a foreign

Power could not fail of giving rise to many embarrassments. Its colonisation by Great Britain would be hailed with universal approbation throughout Australasia.

HENRY PARKES.

APPENDIX III

Public School System of New South Wales (supplied by the Department of Public Instruction).

PREVIOUS TO 1848.

BEFORE 1848 State grants were occasionally made to Denominational Schools—chiefly to those in connection with the Church of England.

1848 to 1866.

In 1848, a National system of non-sectarian schools (known as the Irish National system) was established in the colony. For the support of this system, State grants were made annually, and a Board of Commissioners was appointed by the Governor to expend such grants in carrying on and improving the work of National Education. At the same time a Denominational Board was also appointed for the management of Denominational Schools, and State grants were made to it towards the support of such schools. This arrangement of two Boards was continued up to 1866.

1866 to 1880.

In 1866 the 'Public Schools Act' was passed by the Legislature. By this Act the National and Denominational School Boards were abolished, and a new Board—designated 'The Council of Education'—was constituted for the management of all State-aided schools—National and Denominational.

The Council of Education began work January, 1867, and it continued its management of Public Education up to May, 1880.

EDUCATIONAL STATISTICS, 1867–1880.

	1867	1880
Schools	642	1,265
	(including 317 Denominational)	(including 150 Denominational)
Enrolment	57,000	101,584
Teachers	971	2,800
Expenditure	£100,610	£881,797

1880 to 1891.

In 1880, the Public Instruction Act was passed, to take the place of the Public Schools Act. By the Public Instruction Act the Council of Education was abolished, and a Department of Public Instruction, to be under the direct control of a responsible Minister, was constituted for the management of Public Education.

In addition to enactments similar to many of those which the Public Schools Act had contained, the Public Instruction Act further provided:—

- (a) For the discontinuance of all State-aid to Denominational Schools from December 31, 1882.
- (b) For all officers and teachers under the Department of Public Instruction being civil servants of the Crown.
- (c) For a uniform scale of school fees of 3*d.* for each child, or 1*s.* for four children from the same family; and for the payment into the Treasury of all such fees collected.
- (d) For the establishment of superior Public Schools and High Schools for the purposes of secondary education.
- (e) For the division of the colony into School Districts, and the appointment of Local School Boards for such Districts.
- (f) For the compulsory attendance of school pupils between six and fourteen years of age.

EDUCATIONAL STATISTICS, 1880-1890.

	1880	1890
Schools	1,265	2,680
	(Including 150 Denominational)	
Enrolment	101,584	195,241
Teachers	2,800	4,181
Expenditure	£381,797	£704,260

The following summary will show the progress made under the Public Instruction Act of 1880:—

1. In 1880, when the Public Instruction Act came into operation, there were:—schools, 1,265; scholars, 101,534; teachers, 2,300.
2. In 1890, the number of schools had been increased by 1,365, or 108 per cent.; the number of scholars by 93,707, or 92 per cent.; and the number of teachers by 1881, or 82 per cent.

3. To provide education for isolated families, and the sparse population in outlying districts, 'House-to-house' schools were established in 1883, and, in 1890, ninety-five of such schools were in operation.
4. Kindergarten schools and classes have been established; improved arrangements for carrying on *introductory* scientific and technical work in Public Schools have been made; and workshops for manual training for boys, and cookery classes for girls, have been established. In 1883 a Board was appointed to promote and manage technical education throughout the colony, but the whole of such work has now been organised as a branch of the Public Instruction Department, under the direction of a superintendent. Very satisfactory progress in technical education is now being made.
5. To promote secondary education, sixty-four superior Public Schools and five High Schools have been established; and High School and University State Bursaries have been instituted for deserving children of parents in poor circumstances.
6. School accommodation is now provided for 198,898 children, about 96 per cent. of which is in vested buildings, the property of the State.
7. The Training Schools for teachers, carried on under the Public Schools Act, were continued under the Public Instruction Act; and they have now been reorganised and connected with the University.
8. 554 Public School Banks have been brought into operation, and, for the four years ending 1890, their deposits amounted to an aggregate of 42,770*l*.
9. The Public School Cadet Force has been completely reorganised, and nearly 6,000 cadets are now enrolled.
10. In 1880, 4·8 per cent., and in 1890 only 3·4 per cent., of the total population of the colony were apprehended for crime.

EDUCATIONAL STATISTICS, 1867 TO 1890.

	1867 (1st year under Pub. Schools Act)	1880 (1st year under Pub. Inst. Act)	1883 (1st year after aid to Denom. ceased)	1890
Schools . . .	642	1,265	1,850	2,630
Enrolment . .	57,000	101,534	155,918	195,241
Teachers . . .	971	2,300	2,980	4,181
Expenditure .	£100,610	£381,797	£821,853	£704,260

APPENDIX IV

The Prime Ministers of New South Wales.

THE first Parliament was opened on May 22, 1856. The first Prime Minister accepted office on June 6 following.

It will be seen that the shortest term of office is two months and twenty days (Sir S. A. Donaldson), and the longest term eleven years nine months and fourteen days (Sir Henry Parkes), and that there have been no more than five Ministries with a life extending beyond one year and two days.

In order of first taking office		Number of Ministries	Number of Dis- solutions	Total period in office as Prime Ministers
				yra. mths. days.
1	Donaldson, Stuart Alexander	1	—	0 2 20
2	Cowper, Charles . . .	5	3	6 10 21
3	Parker, Henry W. . . .	1	—	0 11 5
4	Forster, William . . .	1	—	0 4 14
5	Robertson, John . . .	4	2	4 8 4
6	Martin, James . . .	3	2	5 5 29
7	Parkes, Henry . . .	5	4 ¹	11 9 14
8	Farnell, James Squire . .	1	—	1 0 2
9	Stuart, Alexander . . .	1	—	2 9 0
10	Dibbs, George Richard ² .	3	2	0 11 14
11	Jennings, Patrick Alfred .	1	—	0 11 21

¹ One of these dissolutions—that of 1880—was in consequence of a new Electoral Law to enable an Assembly to be elected under the new Act. No question of Ministerial confidence was in issue.

² Still in office, June 23, 1892.

APPENDIX V

*Progress of New South Wales, by J. A. Coghlan, Esq.
Government Statistician.*

IN the year 1840 New South Wales had within its present boundaries a population of 113,200; included in this number were 18,200 persons who, though then free, had been originally transported from the United Kingdom for criminal offences, and 24,500 convicts who were still in a state of servitude. Deducting the number last mentioned, the effective population of the colony may be set down at 89,000, while 50 years later, at the census of 1891, the number had risen to 1,132,000.

Then, as now, the pastures of the country were the chief source of its wealth; but whereas in 1840 the number of sheep depastured was but 4,800,000, the horned cattle 900,000, and the horses 56,000, in 1891 the number of sheep was 60 millions, of cattle 2 millions, and of horses nearly half a million; and the wool clip, which in 1840 did not reach 8 million pounds in weight, may now be set down at 330 million pounds. Less attention has always been paid to agriculture than to pastoral pursuits; still the breadth of land under crop, which in 1840 was 126,000 acres, expanded to 1,120,000 acres during the last season, an increase in area attended by even a more considerable increase in the value of crops yielded. Fifty years ago mining was almost wholly unknown, coal being the only mineral systematically sought for, and the yearly output of this commodity did not exceed 30,000 tons, valued at the same number of pounds sterling; in 1891 the quantity of coal raised was over four million tons, worth 1,740,000*l.*, and the value of the silver, gold, tin, copper, and other minerals obtained was 4,660,000*l.*, making a total value for the year of nearly six and a half millions sterling.

The progress of the colony is, however, best illustrated by the figures relating to its commerce. Thus, for the 5 years which closed with 1840, the average yearly value of the exports was 883,000*l.*, and of the imports 1,712,000*l.*, compared with 25,944,000*l.* exports, and 25,383,000*l.* imports for 1891. For the commerce of 1840 there were required 440 ships, with a carrying capacity of 130,000 tons, while in 1891 the ships numbered 3,000, and their tonnage 2,800,000.

The wealth of New South Wales at the date of the census of 1891 was 406 millions sterling, or about 363*l.* to each inhabitant; these figures are exclusive of the value of State property, which, if counted, would probably add 150 millions to the sum just quoted. In 1840, excluding the property of the State, which then consisted almost entirely of waste lands, the wealth of the colony was barely 20 millions, or 200*l.* per inhabitant. Whatever may be the experience of other countries, in New South Wales, though the rich have grown richer, as the foregoing figures show, the poor have not grown poorer; on the contrary, the condition of the ordinary mechanic and labourer has improved with the increase in the total wealth of the community. Thus, if the money wages of skilled labourers in the year 1840 be represented by the number 100, their wages to-day would be at least 125, while with other labourers the in-

crease has been even still greater. Nor is this all, for wages and prices have moved in opposite directions, and articles of consumption are generally cheaper to-day than fifty years ago. Coincident with the great advance in material wealth, there has been a noteworthy improvement in the social condition of the people. The facilities for education have been so extended that practically the whole population of school age, that is from 6 to 14 years, is receiving education; while in 1840 only 8,500 children out of a school population of 14,000 were under instruction. In regard to crime a great improvement would naturally be expected during the interval which has elapsed since the cessation of transportation; nevertheless, the change that has taken place is remarkable. Fifty years ago the average number of persons convicted for serious offences was about 800 during a year, while for the past five years the number has scarcely exceeded 900, notwithstanding a tenfold increase in population.

The progress of the colony may be said to be reflected in that of its chief city. Sydney, which stands unsurpassed amongst the cities of the world for the beauty of its site and its natural commercial advantages, had, in the year 1840, a population of less than thirty thousand, which in 1891 had risen to within a few hundreds of 400,000, while the value of the buildings and other improvements rose since 1843, the year after the incorporation of the city, from 730,500*l.* to 103,704,000*l.*, and the return from rents from 58,440*l.* to 5,414,000*l.*, so that, gauged by the return from property, Sydney is, after London, and perhaps Melbourne, the wealthiest city of the Empire.

	1840	1891
Population of the Colony	113,200	1,132,000
Population of Sydney	30,000	400,000
Wealth of the Colony in private hands £	20,000,000	406,000,000
Value of Imports (average of five years, 1836-40) £	1,712,000	25,383,000
Value of Exports (average of five years, 1836-40) £	883,000	25,944,000
Tonnage entered and cleared	264,900	5,694,000
Wool Exported, weight lb.	7,669,000	330,000,000
Wool Exported, value £	498,000	11,000,000
Number of Sheep	4,800,000	60,000,000
Number of Horned Cattle	900,000	2,000,000
Number of Horses	56,000	460,000
Area under cultivation Acres	126,000	1,120,000
Scholars enrolled	8,500	220,000

APPENDIX VI

Statistics of Australasia, 1840-1890.

	1840	1850	1860	1870	1880	1890
Population at end of Year No.	194,792	426,064	1,221,547	1,898,572	2,715,782	3,787,894
Shipping—Inwards and Outwards:						
Number of Vessels No.	3,154	4,430	10,144	12,703	14,738	17,629
Tonnage Tons	646,774	970,327	2,909,308	4,065,559	7,710,615	15,542,248
Commerce—						
Imports £	4,428,450	3,889,480	27,781,448	29,465,361	45,286,652	68,001,986
Exports £	2,316,692	3,752,833	21,982,287	31,085,722	49,023,832	64,799,178
Total Trade £	6,745,142	7,642,313	49,763,735	60,551,083	94,310,484	132,801,164
Wool Exported (in Grease) lb.	12,543,500	41,331,500	62,403,200	162,949,200	402,514,400	573,533,600
Area of Land under Cultivation Acres	262,877	501,927	1,581,988	3,869,567	10,610,705	15,892,235
Public Revenue £	915,730	1,211,709	5,806,978	8,518,113	17,293,449	29,212,301
Bank Deposits—						
Banks of Issue £	No returns	2,459,300	15,063,700	23,185,800	54,541,500	110,681,800
Savings Banks £	No returns	240,200	1,353,500	2,364,700	6,746,700	16,516,200
Total £	No returns	2,699,500	16,417,200	25,550,500	61,288,200	127,198,000
Live Stock—						
Sheep No.	6,093,100	16,584,800	22,614,300	51,294,200	75,158,700	115,995,800
Horned Cattle No.	1,004,400	1,937,800	4,075,500	4,712,900	8,225,800	10,735,400
Horses No.	71,300	167,100	459,800	797,800	1,230,100	1,720,700
Railways—						
Miles open Miles	Nil	Nil	226	952	4,921	11,990
Telegraphs—						
Miles of Wire Miles	Nil	Nil	3,454	15,454	46,082	85,753

APPENDIX VII

THE following appeared in one of the Sydney papers, the 'Daily Telegraph,' on June 25, 1892:

*The Division of Queensland.—Provisions of the New Bill.—
Proposed Establishment of Three Provinces.*

BRISBANE, *Friday*.—The Queensland Separation Bill was read the first time in the Legislative Assembly to-day, and the second reading fixed for July 5. The Bill embraces 220 clauses, and is divided into eight chapters.

Chapter one deals with the Constitution of the united provinces, and provides that within six months after the passing of the Act the colony shall be divided into three provinces, called South, Central, and North Queensland, forming one colony or state under the present Constitution, and shall be called the United Provinces of Queensland. The boundaries of the provinces are practically the same as under Sir Samuel Griffith's separation proposals of last year.

Chapter two provides for a General Assembly, which shall consist of a Senate and House of Representatives, the Queen from time to time to appoint the Governor for the united provinces, his salary to be paid by the General Assembly, and to be not less than 5,000*l.* per annum. The General Assembly is to meet not later than six months after the date of the constitution of the united provinces, the Senate to be composed of eight members for each province, directly chosen by the Houses of Legislature of the several provinces; senators to be chosen for six years. The General Assembly is to make laws prescribing a uniform manner of choosing senators, who will then be divided by lot into two classes, the first half vacating the Senate at the expiration of three years, and the second portion at the end of the sixth year, so that one-half may be chosen every third year. The qualifications for senators are that they must be of the full age of thirty years, and must be qualified to vote as electors. The Senate is to elect its President, who may be removed by vote of the Senate.

The House of Representatives is to be composed of members chosen every three years by the people of the several provinces, and, until otherwise provided by law, of the united provinces. Each province is to have one representative for every 10,000

people. Members of the House of Representatives must be twenty-one years of age, and must have been three years resident within the limits of the united provinces. Each member of the Senate and House of Representatives to be paid an annual allowance of 100*l*.

The General Assembly is to have power to make laws dealing, among other matters, with external affairs relating to the Australian Colonies and Great Britain, the public debt of Queensland and of the united provinces, the regulation of trade and commerce, customs and excise bounties (but so that the duties of customs and excise shall be uniform throughout the united provinces, and that no tax be imposed on any goods exported from one province to another), raising money by any other mode of taxation, borrowing money on the public credit of the united provinces, control of railways, and the constitution of courts of appeal from courts of the provinces. The General Assembly also to have power as to the exclusion of the Legislatures of the provinces, to make laws with respect to the affairs of the people for whom it is necessary to make special laws not applicable to the general community, the government of any territory which may by the surrender of any provinces become the seat of Government of the united provinces, and matters relating to departments of the civil service which are vested in the executive government of the united provinces, and such other matters as may be decided upon.

Chapter three provides for the administration of the executive government of the united provinces.

Chapter four provides for the constitution of the provinces. The Governor-General will have power to appoint a Lieutenant-Governor, and the Legislature of the province is to meet annually. Ministers of the provincial Legislatures shall not exceed six, who draw total salaries as follows :—South Queensland, not exceeding 6,000*l*. per annum, and Central and Northern Queensland not exceeding 3,000*l*. each.

In South Queensland there is to be a Legislative Council, of whom not less than four-fifths shall be persons not holding an office of profit under the Crown; the Assembly to consist of forty-six members. The Legislature of the province of Central Queensland is to consist of a Legislative Assembly with twenty members, and in North Queensland the Legislature shall consist of thirty-two members.

Chapter five provides for judicature, chapter six finance and trade, and chapter seven for the admission of new provinces.

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